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GENERAL ORDERS

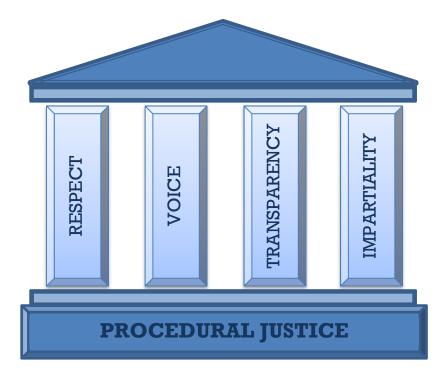
Police Officer Oath

I solemnly swear that I will faithfully execute the duties as a Police Officer for the City of Irving Dallas County of the State of Texas and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State so help me God.

Irving Police Department Vision Statement

We will be a proactive police department that understands and embraces the idea that making arrests & writing citations are as important as community involvement & partnerships.

We will be a police department
that follows the tenets of Procedural Justice;
ensuring all of our interactions leave people
with their dignity & respect
while not retreating from our responsibility
to protect and serve.



Police Officer Code of Ethics

As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

LIST OF CHANGES

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107.00	Admin	strative Services Bureau
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205.00	Nepoti	sm
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208.00 (delete	ed)	Temporary Duty Assignment
209.00 (delete	ed)	Reporting Travel Expenditures
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210.00	Open I	Records Requests
211.00	Early A	Alert System
301.00	Author	ized Firearms
302.00	Firearr	ns Training and Qualification
305 00	Vehicle	a lise

Marked Assigned Vehicle Program
Motor Vehicle Accidents/Damaged Dept. Vehicle
Juvenile Arrest Policies
Detentions/Arrests Requiring Special Handling
Citations
Enforcement of Handgun Laws
Family Violence
Property and Evidence
Operations Outside Irving City Limits
Communicable Disease Exposures
Immunizations and Treatment
Online Reporting
Safeguarding Children of Arrested Parents
Personnel Status
Seniority and Time in Grade
Physical Fitness Program
Personnel Commendations
Meritorious Conduct Board
Awards
Secondary Police Service/Off-Duty Employment and Work Hour Restrictions
Injured Employees
Safety Review Board
Personal Property
Psychological Services
Off-Duty Use of Dept. Athletic Facilities and Equipment
Police Family Support Team
Police Chaplain Program
Career Development and Lateral Transfers

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604.00	Computer Communications
605.00	Inmate Phone System
606.00	Social Media
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804.00	Professional Conduct and Personal Bearing
805.00	Protection of Persons, Their Rights, and Their Property
806.00	Bias Free Policing
807.00	Rewards, Gifts, Fees
808.00	Public and Political Activities

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

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IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

100.00 ORGANIZATIONAL STRUCTURE

100.00 ORGANIZATIONAL STRUCTURE

100.01 **Purpose**

This policy establishes the command structure for the Irving Police Department and the responsibilities for the levels within the command structure.

100.02 Policy

The Irving Police Department will have a specific command structure and the command responsibilities will be clearly established for each level of command.

101.00 THE CHIEF OF POLICE

A. The chief of police:

- 1. Is appointed by the city manager and confirmed by the city council and has the designated authority and responsibilities assigned to the position by the Code of Civil and Criminal Ordinances of the City of Irving, Section 29-4
- Has ultimate responsibility for administration, command, and external relations of the department
- 3. Develops and prepares such programs and policies as deemed necessary to maintain efficient and effective police department operations
- Develops, presents, and justifies budget estimates for departmental operations
- Appoints assistant chiefs in compliance with Chapter 143, Texas Local Government Code
- 6. Maintains high standards of confidence through instruction and training for and by members of the department
- 7. Has administrative responsibility for supervision of the Field Operations Bureau, Investigative Services Bureau, Administrative Services Bureau, Animal Services, Emergency Management, and Media Affairs.
- 8. Maintains discipline within the department

101.01 Professional Standards Section

A. The Professional Standards Section is commanded by a lieutenant.

The lieutenant:

- 1. Is directly responsible to the chief of police
- 2. Receives, files, and processes complaints involving department employees
- 3. Completes final dispositions on disciplinary action prior to submission to the chief of police
- 4. Completes the annual analysis and report on department response to resistance pursuant to policy
- 5. Performs periodic inspections and audits to ensure compliance with departmental policies and procedures
- 6. May be assigned special investigations at the direction of the chief of police
- 7. Maintains departmental General Orders
 - a. Conducts an annual review and biennial update of the departmental General Orders
- 8. Coordinates with division commanders on the annual review and biennial update of Standard Operating Procedures
- 9. Maintains departmental compliance with Texas Law Enforcement Best Practice Recognition Program
- B. In addition to having command responsibilities as listed in 104.00, the Professional Standards Lieutenant is also responsible for:
 - 1. The supervision of the Professional Standards Sergeant

101.02 Legal Advisor

- A. The legal advisor is an administrative staff position directly responsible to the chief of police.
- B. The legal advisor is responsible for:
 - 1. Providing legal counsel and giving both formal and informal legal opinions
 - 2. Providing administrative review for criminal cases as necessary
 - 3. Advising the chief of police and the staff on legal matters
 - 4. Reviewing department orders for legal sufficiency
 - 5. Training of staff and personnel in court decisions, civil liability, and other subjects as deemed necessary
 - 6. Approving and processing open record requests

- 7. Functioning as liaison between the police department and the city attorney's office and the district attorney's office
- 8. Representing the department in disciplinary appeals

101.03 Emergency Management Section

- A. The Emergency Management Section is commanded by the emergency management coordinator who is directly responsible to the chief of police
- B. In addition to having command responsibilities as listed in 104.00, the emergency management coordinator is also responsible for:
 - 1. Maintaining the City Emergency Operation Plan, review and update to be completed every two years
 - 2. Duties outlined in Chapter 10 Emergency Management, City Code of Ordinances

101.04 Administrative Support Staff

- A. The administrative support staff reports to the office supervisor.
- B. The administrative support staff is comprised of the legal secretary, administrative secretary, and payroll assistants.
- C. The administrative support staff is responsible for payroll and providing support services for the chief of police, assistant chiefs of police, the police legal advisor, and Professional Standards.

102.00 ORDER OF SUCCESSION

102.01 Designated Succession Order

- A. If the chief of police should be absent and unable to appoint an acting chief of police, the order of succession is:
 - 1. Assistant Chief Field Operations Bureau
 - 2. Assistant Chief Investigative Services Bureau
 - 3. Assistant Chief Administrative Services Bureau
 - 4. Captain South Patrol
 - 5. Captain North Patrol
 - 6. Captain Special Operations Division
 - 7. Captain Criminal Investigation Division
 - 8. Captain Community Services Division
 - 9. Captain Technical Services Division

102.02 General Instructions for Acting Chief of Police

- A. The acting chief of police will carry out the previously issued orders of the chief of police.
- B. Previously issued orders of the chief of police will not be countermanded or set aside except in cases of extreme emergency.
 - 1. If an order is countermanded or set aside, the acting chief of police will report the reasons for such action in writing to the chief of police.
- C. The acting chief of police will fulfill the duties of the chief of police.

103.00 COMMAND STRUCTURE

103.01 Rank

- A. Classification of rank for sworn employees in the police department:
 - Chief of Police
 - 2. Assistant Chief of Police
 - 3. Captain
 - 4. Lieutenant
 - 5. Sergeant
 - 6. Police Officer

103.02 Unity of Command

- A. The watch commander, a lieutenant, is in command of the police department in the absence of other ranking officers (e.g., nights, weekends, and holidays).
- B. Under normal operating conditions, the highest ranking member present assumes command of any given situation. However, when members of two or more organizational components are involved in a criminal investigation, the ranking member present from the organizational component that is responsible for the follow-up investigation and conclusion of the case will assume responsibility for the investigation and take command of the investigation and the crime scene.
- C. Personnel are accountable to only one supervisor at a given time, normally their immediate supervisor.
- D. Supervisory personnel in each hierarchical level are responsible for the performance of employees under their immediate control.
- E. Personnel will promptly obey any lawful order of a supervisor:
 - 1. In the event the supervisor is unable to convey the order directly, an employee of equal or lesser rank may convey the order on behalf of the supervisor.
 - 2. No employee is required to obey any order which is contrary to the law. Such refusal to obey, however, is the employee's responsibility and they will be required to justify their action.
 - 3. Employees who are given orders which they feel may be unjust or contrary to the general orders, rules, or procedures of the department must first obey the orders to the best of their ability. They may then proceed to appeal in writing to the chief of police.
 - 4. Employees who receive an order which conflicts with a previous order or instruction shall advise the supervisor issuing the second order. Responsibility for countermanding the original order shall rest with the supervisor issuing the second order. Orders shall be countermanded, or conflicting orders issued, only when in the best interest of the department.

104.00 COMMAND RESPONSIBILITIES

- A. Certain fundamental responsibilities are inherent in all command structures. The following responsibilities are command responsibilities:
 - 1. Leadership and management of the bureau, division, or section
 - 2. Knowing the goals of the department and establishing programs to meet those goals
 - 3. Implementation of training needed to provide personnel with the abilities to meet departmental goals
 - 4. Discipline
 - 5. Budget preparation
 - 6. Maintaining and updating operating procedures
 - 7. Review and/or completion of personnel evaluations
 - 8. Inspection of the physical facilities/equipment of the assigned area of responsibility to ensure that proper operation, maintenance, and cleanliness standards are met
 - 9. Effective communication within all levels of the organization

105.00 FIELD OPERATIONS BUREAU

- A. The Field Operations Bureau is commanded by an assistant chief of police who has command responsibilities as listed in 104.00 as well as the following:
 - 1. Direct responsibility to the chief of police
 - Responsibility for specialized planning and maintenance of proper police patrol for the city
 - 3. Coordination of operations activities within the bureau
 - 4. Serves as chairperson of the Meritorious Conduct Board
- B. The Field Operations Bureau is composed of the North and South Patrol Divisions and the Special Operations Division.

105.01 North and South Patrol Divisions

- A. Each division is commanded by a captain who is directly responsible to the Field Operations Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, each captain is also responsible for:
 - 1. Patrol personnel
 - 2. Providing adequate police patrol for the City of Irving
 - Coordination of operations involving other agencies
 - 4. In addition, the South Patrol Division Commander is responsible for:
 - a. Acting as the department vehicle fleet coordinator,
 - b. Management of the officers assigned to the front desk at the CJC and City Hall
 - Completing the annual analysis and report on department pursuits pursuant to General Orders
 - 5. In addition, the North Patrol Division Commander is responsible for the subpoena coordinator.

105.02 Special Operations Division

- A. The Special Operations Division is commanded by a captain who is directly responsible to the Field Operations Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the captain is also responsible for:
 - Coordination of special event planning including parades, runs, fireworks displays, etc.
 - 2. Management of the Hit & Run Section, Traffic Section, Tactical Section, Vice and Narcotics Section, Crime Scene Section, and Electronic Evidence Unit.

106.00 INVESTIGATIVE SERVICES BUREAU

- A. The Investigative Services Bureau is commanded by an assistant chief of police with the command responsibilities as listed in 104.00 as well as the following:
 - 1. Direct responsibility to the chief of police
 - 2. Coordination of activities within the bureau
 - 3. Serves as chairperson of the Uniform Committee
- B. The Investigative Services Bureau is composed of the Criminal Investigation Division, the Community Services Division, and Animal Services.

106.01 Criminal Investigation Division

- A. The Criminal Investigation Division is commanded by a captain who is directly responsible to the Investigative Services Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the captain is also responsible for:
 - Notifying the chief of police and command staff of general criminal activity, organized crime, and terrorist activities
 - 2. Serving as Director of Transportation Services as defined in Chapter 37 of the Code of Civil and Criminal Ordinances of the City of Irving (Taxi Cabs)
 - 3. Providing investigation of criminal offenses
 - 4. Acting as a liaison with other investigative agencies
 - Managing the criminal investigation sections, Crime Information Center, Family Advocacy Center, and Auto Pound

106.02 Community Services Division

- A. The Community Services Division is commanded by a captain who is directly responsible to the Investigative Services Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the captain is also responsible for:
 - 1. Managing the school resource officers, police athletic league, crime prevention officers, youth investigators, and the police reserves
 - 2. Recruitment, staffing, and functional supervision of the volunteer program
 - 3. Provides functional supervision for the Irving Police Department Explorer Post #252
 - a. The Explorer Post is a program sponsored by the Irving Police Department and Boy Scouts of America. The chief of police is the final authority on all matters pertaining to the operating procedures of this Explorer program.
 - b. The observation and working duties of the Explorer Post in divisions within the department are regulated by the division S.O.P.'s.

4. Recruitment, staffing, and functional supervision of the Irving Citizens on Patrol Program

106.03 Animal Services

- A. Animal Services is commanded by the Animal Services Manager who is directly responsible to the Investigative Services Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the manger is also responsible for:
 - 1. Managing all Animal Services personnel including the Field Operations Team, Shelter Operations Team and Veterinary Operations Team
 - 2. Leadership, direction, recruitment, staffing and functional supervision of the Animal Services Division
 - 3. Public relations, media, special events and public education for the Animal Services Division

106.04 Irving Police Reserves

- A. The Irving Police Reserves are commanded by a reserve lieutenant who is directly responsible to the Community Services Division Commander.
 - 1. The reserve lieutenant is appointed by the chief of police.
 - 2. Command responsibilities include:
 - a. Conducting monthly reserve meetings
 - b. Coordinating training for reserve officers
 - c. Maintaining the emergency call-out list for reserve officers
 - d. Disseminating department information to reserve officers
 - e. Maintaining reserve officers' files and coordinating reserve officers annual evaluations and required PTO observation reports

107.00 ADMINISTRATIVE SERVICES BUREAU

- A. The Administrative Services Bureau is commanded by an assistant chief of police with the command responsibilities listed in 104.00 as well as the following:
 - 1. Direct responsibility to the chief of police
 - 2. Coordination of activities within the bureau
 - 3. Serves as chairperson of the Safety Review Board
 - 4. Completing the annual analysis and report on department vehicle accidents and injuries
 - 5. Serves as the department liaison with the Civil Service Commission
 - 6. Has responsibility for the preparation and administration of the departmental budget and capital improvement projects
 - 7. Is the department safety officer and assigned to the city-wide safety board
- B. The Administrative Services Bureau is composed of the Technical Services Division, Research and Planning Section, budget specialist, the Personnel and Training Section, and the IT Public Safety Team.

107.01 Technical Services Division

- A. The Technical Services Division is commanded by a captain who is directly responsible to the Administrative Services Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the captain is also responsible for:
 - Managing the Communications Section, Jail Section, Property Section, and the Records Section

107.02 Research and Planning Section

- A. The Research and Planning Section is commanded by the research and planning coordinator who is directly responsible to the Administrative Services Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the research and planning coordinator is also responsible for:
 - 1. Conducting an annual audit of all department capital assets (all items over \$5,000.00 in value)
 - a. The inventory results will be forwarded through the chain of command to the chief of police.
 - 2. Reporting maintenance needs/requests
 - a. All maintenance concerns involving the Criminal Justice Center will be directed to the research and planning coordinator who will call in the maintenance request.
 - 3. Research, application, and management of departmental grant programs

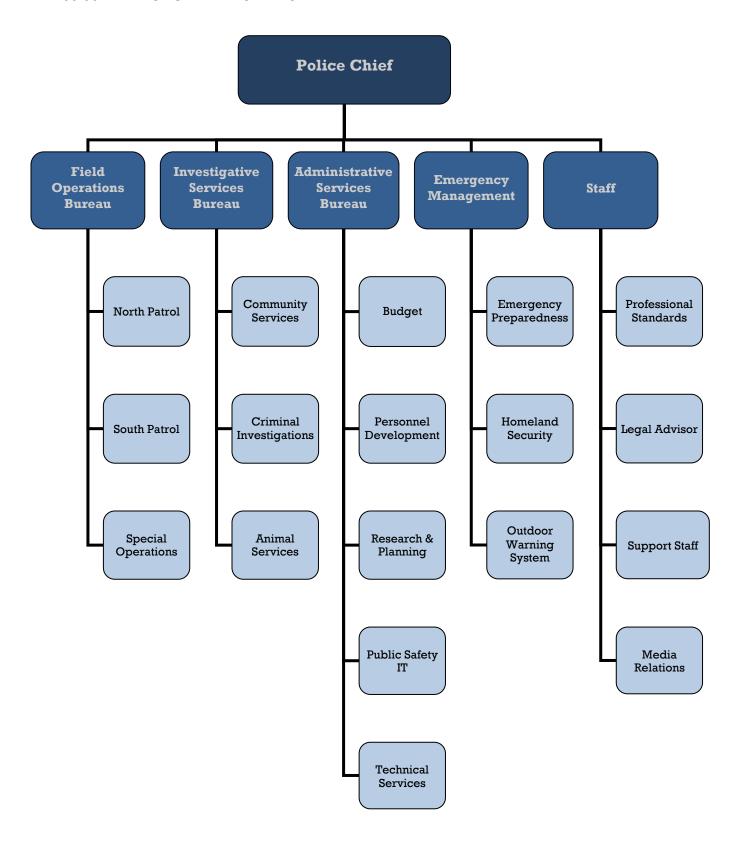
107.03 Personnel and Training Section

- A. The Personnel and Training Section is commanded by a lieutenant who is directly responsible to the Administrative Services Bureau Chief.
- B. In addition to having command responsibilities as listed in 104.00, the lieutenant is also responsible for:
 - 1. Recruiting applicants
 - 2. Coordinating applicant testing
 - 3. Coordinating pre-employment investigation of all applicants
 - 4. Conducting correspondence with T. C. O. L. E. as required
 - 5. Analyzing training needs
 - 6. Coordinating and/or conducting training for all department employees, including the Police Training Officer program
 - 7. Coordinating promotional testing
 - 8. Managing the Personnel Section, Training Section, and the police chaplains

107.04 IT Public Safety Team

- A. The IT Public Safety Team is led by the IT public safety administrator who serves as a liaison between the city Information Technology Department and the police department.
- B. In addition to having command responsibilities as listed in 104.00, the IT public safety administrator is also responsible for:
 - 1. Developing, administering, and supporting information technology systems, specifically public safety (police, fire and municipal court) users
 - 2. Provide support for specialized computer applications and databases utilized by public safety users
 - 3. Developing new applications and improve existing processing via the implementation of technology
 - 4. Provides technical support and training for public safety users, including troubleshooting, problem resolution and general question response

108.00 ORGANIZATIONAL CHART



IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

200.00 ADMINISTRATION

201.00 WRITTEN DIRECTIVES

201.01 **Purpose**

This policy defines and authorizes the written directives used throughout the agency.

201.02 Policy

All employees work under the policies and rules established in the City of Irving Personnel Policies. Commissioned officers also work under the Civil Service Act, Chapter 143 Local Government Code, for Civil Service Employees. Written directives of the Irving Police Department are intended to supplement these policies and rules. Written directives issued at any level of command should not conflict with orders or policies issued by a higher command and will be in accordance with applicable Texas law. Directives of general application and enduring nature will be reduced to writing. They will be dated, signed, and distributed to those affected or concerned

201.03 Definitions

General Orders: Orders for an indefinite period of time and statements of departmental policies or procedures affecting two or more divisions, and denoting specific responsibilities and/or duties

Memorandums: Memorandums, which are not part of the directive system, are used to exchange correspondence and information within and between units of the department and among other city departments.

Personnel Orders: Statements of administrative matters concerning individual members of the police department to include:

- 1. Promotion, demotion, reclassification, resignation, and retirement
- Assignments or transfers
- 3. Restoration and suspension of duty

Special Orders: Orders for a specific period of time or amended General Orders

Standard Operating Procedures: Statements of procedures adhered to by a division, section, or unit, to accomplish a task by using prescribed guidelines or procedures

Written Directives: Written orders and policies including General Orders, Special Orders, Personnel Orders, and Standard Operating Procedures

201.04 General Orders

- A. The chief of police has the sole authority to issue or revise General Orders.
- B. Each General Order is issued only over the signature of the chief of police.
- C. General Orders are for departmental use only and do not expand an Irving Police Department employee's civil or criminal liability in any way.
- D. General Orders should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims.
- E. Violations of General Orders will form the basis for disciplinary action.
- F. If any section, sentence, clause or phrase of these General Orders is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of that General Order.

201.05 Special Orders

- A. Special Orders are issued only by the chief of police, although they may originate in any division or section.
- B. Special Orders may be amended by issuance of a new Special Order.

C. Form

- 1. Each Special Order is numbered, and will state its effective date, as well as what, if any, prior directive it rescinds or replaces.
- 2. Special Orders are consecutively numbered beginning with the number one (1) assigned to the first order issued beginning January 1. The number is preceded by the last two digits of the year of issuance (e.g. 19-1).

D. Distribution

- 1. For publication, the Special Order will be distributed to employees by email or other means that require acknowledgement of receipt of the Special Order. The original Special Order will be maintained by the Office of the Chief of Police.
- E. Special Orders will contain a self-cancelling statement.
 - 1. Professional Standards monitors issuance of Special Orders and, if necessary, incorporates them into the General Orders or Standard Operating Procedures.

201.06 Personnel Orders

- A. The chief of police or designee issues and signs Personnel Orders.
- B. Personnel Orders may be amended by issuance of a new Personnel Order.
- C. Form
 - 1. Personnel Orders are consecutively numbered beginning with the number one (1) being assigned the first order issued beginning January 1. The number is preceded by the last two digits of the year of issuance (e.g. 19-1).

2. Each subject matter within a Personnel Order requires its own separate paragraph.

201.07 Standard Operating Procedures

- A. Authority to Issue
 - 1. Division commanders have authority to issue S.O.P.'s affecting their divisions.
 - a. Division commanders may staff procedures and/or present it to the bureau chief for approval.
 - b. Approved S.O.P.'s are issued a number by the division or section affected.
 - 2. Standard Operating Procedures are reviewed annually and re-issued biennially.

201.08 Distribution of General Orders, Standard Operating Procedures and Special Orders

- A. For publication, the directive will be distributed to employees by email or other means that require acknowledgement of receipt of the directive.
- B. Proof of receipt of these directives will be maintained by the Professional Standards Lieutenant.
- C. New employees hired after issuance of the electronic notice will sign a form acknowledging receipt of the current directive. This form will be placed in their personnel files maintained in Police Administration.

202.00 CORRESPONDENCE

202.01 Purpose

This policy provides guidelines for writing, storing, and forwarding written communications.

202.02 Policy

Employees will use the proper format and understand the protocol for issuing written communications.

202.03 Memorandums

- A. Memorandums are used to exchange correspondence and information within and between units of the department and other city departments.
- B. Any employee may initiate a memorandum.
- C. Memorandums are written on the "MEMO" form, and will follow the format as shown in the memo example in the appendix.
- D. Items covered by Memorandums
 - 1. Requests for changes in or extended leaves of absence
 - Requests for changes in days off
 - 3. Requests for information on laws, ordinances, opinions, and additional investigations on numbered reports
 - 4. Submission of requested information on matters other than numbered reports
 - 5. Recommendations for improving working or beat conditions, including hazards
 - 6. Suggestions on law or ordinance changes, additions, etc.
 - 7. Disciplinary actions taken by commanders
 - 8. Special assignments within departmental units
 - 9. Any act committed by an employee, whether on or off-duty, which could elicit questions from citizens, and/or bring possible discredit to the police department

202.04 Memorandums Addressed to the Chief

- A. Departmental memorandums are directed to the chief of police in the following circumstances:
 - When information concerning investigations or disciplinary action cannot be forwarded in the specified time
 - 2. If requested or ordered by supervisors
 - 3. If an employee discharges a TASER cartridge unrelated to use of force or training as prescribed by the approved training lesson plan

- 4. In conjunction with a Notice of Investigation
- 5. When responding to a Professional Standards Section inquiry
- 6. When an employee of the department is filing, or has been filed against, in a civil suit regarding an on or off-duty matter, related to employment with the department
- 7. When seeking reimbursement / authorization for vaccinations
- 8. To address an arrest that a supervisor or watch commander disapproves
- B. Departmental memorandums directed to the chief of police are for administrative purposes only and are forwarded through the chain of command.
- C. No employee of any rank has the authority to stop a memorandum directed to the chief of police, except in circumstances where the supervisor can adequately address the issue and communicates the resolution to the employee. Memorandums will be forwarded to the Office of the Chief of Police within a reasonable time period.
 - 1. Each employee in the chain of command will electronically acknowledge receipt of the memorandum by making comments on the document before forwarding.
 - 2. Those within the chain of command may be bypassed if the person is on leave or whenever directed by the chief of police.

202.05 Proper Form for Writing to the Chief of Police

- A. The following format is used when writing intra-agency memorandums to the chief of police:
 - 1. The memorandum is submitted on Office Memo, City of Irving, from the reporting officer and addressed to the chief of police; subject should briefly explain the incident, (e.g., discharging firearm).
 - 2. The date used shall be the date that the memo is written.
 - 3. The opening paragraph contains the date and time the employee was notified or otherwise became involved in the incident, assigned element, and the nature and location of the call or incident.
 - 4. The memo will follow the sequence of events in chronological order of actions and events.
 - a. The memo will be concise without sacrificing completeness and accuracy.
 - b. The memo will contain names, addresses, ages, sex, and races of non-employees involved.
 - c. The closing paragraph will contain the disposition or action taken in handling the incident.
 - 5. The employee submitting the memo will sign or initial next to his or her name on the "From" line, if a hard copy of the memo is forwarded.

202.06 Memorandums Addressed to Division Commanders

- A. Memorandums directed to a division commander are forwarded through the employee's immediate chain of command to his or her respective division commander.
- B. Memorandums between different divisions or sections are routed through the commanders of the units involved.

202.07 Memorandums Addressed to Supervisors

- A. Memorandums may be directed to a supervisor concerning matters within his or her jurisdiction (e.g., request for change of days off, etc.).
- B. Memorandums requested or ordered by a supervisor of any rank from an employee are generally addressed and forwarded to the chief of police within a reasonable time period.

202.08 Inter-Division Mail Transmitted

- A. Paperwork that the sender deems confidential must not be left unattended and should be placed in desk drawers or otherwise secured away from view. In the event a report, correspondence, or paperwork is sent through the inter-division mail system, it will be sealed in an envelope, addressed to the person and division for whom it is intended, and labeled confidential or personal.
 - 1. Secret or sensitive information should be hand delivered.
 - 2. All confidential reports, correspondence, or paperwork that is no longer useful must be shredded after the required retention period has passed.

202.09 Outgoing Correspondence

- A. When authorized by the chief of police the division, section, or unit commanders may forward communications to persons outside the department.
- B. Official communications originating in bureaus, divisions, sections, or units that are not of a routine operations nature or that concern matters not usually associated with that division, section, or unit must be approved by the chief of police.
- C. The division, section, or unit commander will sign outgoing correspondence.
 - 1. The police chief's name will appear on the letter directly below the division, section, or unit commander/supervisor's name.
 - 2. Employees are forbidden from forwarding any correspondence outside the department regarding the affairs or operations of the department without approval or signature of the division, section, or unit commander/supervisor.

202.10 Posting of Documents

- A. All non-work related documents posted and/or placed in an employee's mailbox must have approval of the chief of police, an assistant chief of police, or the division commander of that section.
 - 1. Personal notes placed in an employee's mailbox are excluded.

203.00 PERSONNEL TIME RECORDS

203.01 **Purpose**

This policy establishes guidelines, in addition to those set forth by the City of Irving Personnel Policies and Procedures Manual, for the recording and documentation of employee payroll and time records.

203.02 Policy

The department maintains payroll and time records in accordance with all applicable statutes and City of Irving policies.

203.03 Definitions

Accumulated Leave: Leave that is either earned or provided by the city, which may be used by an employee, including compensatory time, vacation, holidays, personal leave, and sick leave

Accumulation: Accumulation occurs when the time appears on the available benefit balance of the city's payroll system.

203.04 Attendance Records

- A. Each division, section, and/or unit supervisor is responsible for maintaining attendance records for employees under their command. These records are kept using the Telestaff software.
- B. Supervisors will ensure that they have taken action on all outstanding entries by the end of the pay period.

203.05 Overtime and Compensatory Time

A. Eligibility

1. Employees' eligibility for overtime or compensatory time accrual is in accordance with City of Irving Policy and Procedures and the Fair Labor Standards Act.

2. Callout Procedure

- a. Employees called to work outside the normally scheduled workday, on an unscheduled or emergency basis, will receive the greater of either two (2) hours overtime/comp time or actual hours worked (2-hour minimum).
- b. The accrual of overtime/comp time begins when the employee is notified to report for duty.

B. Procedures for Accruing Overtime or Compensatory Time

- Employees have the option of accepting paid overtime or compensatory time.
- 2. Employees will notify their immediate supervisor or those above in the chain of command for the respective area of responsibility and obtain authorization before overtime or compensatory time work is to be done.
 - a. Exceptions:

- i. Scheduled overtime activities
- ii. Court
- iii. City of Irving promotional exam
- iv. Overtime related to traffic grants
- 3. Employees receiving overtime or compensatory time must complete an entry in Telestaff for overtime/compensatory which, reflects actual time worked.
- 4. Employees will submit an entry into TeleStaff on the date of accrual.
 - a. A telephone request may be made to an on-duty supervisor or payroll assistant to complete the entry when the employee is on RDO.

C. Supervisor's Responsibility

- 1. Supervisors have the authority to approve overtime or compensatory time and are responsible for determining if it is warranted.
- Supervisors will review subordinates TeleStaff entries for accuracy and completion.
- D. Procedure for Requesting Compensatory Time Off
 - 1. No compensatory time may be taken before accumulation. Accumulation occurs when the time appears on the available benefit balance of the city's payroll system.
 - 2. Employees may request compensatory time off by submitting a request in Telestaff.
- E. Procedures for Interdivisional Overtime
 - 1. Employees' Responsibilities
 - a. Employees who perform overtime outside of their division will submit their entry into TeleStaff. The supervisor from the division where the work is being performed should review the entry for approval.
 - b. After the Telestaff entry has been reviewed and approved, the employee who worked the overtime will be responsible for notifying his or her immediate supervisor.
 - 2. Supervisor's Responsibilities
 - a. Upon receiving a notification of a Telestaff entry for overtime/comp time from an employee outside of his or her division, a supervisor will review the entry for accuracy, approve the notification and notify the employee to inform his/her immediate supervisor.
 - b. If an employee wants to perform interdivisional overtime in exchange for compensatory time, the supervisor from the division in which the work is to be performed will obtain approval from the employee's immediate supervisor prior to making this arrangement.
 - 3. For purposes of the monthly report, the division receiving the benefit of the overtime will be responsible for reporting out those hours.

203.06 Holidays

- A. Every full time employee will be credited with 64 hours of holiday leave each October 1. In addition, each employee will be credited with 8 hours of unscheduled holiday leave.
 - 1. Sworn officers, detention officers, dispatchers, animal services officers, and animal care technicians may accrue (bank) a maximum of two years of holiday leave (128 hours). These hours may be used the same as vacation (whenever and in whatever increments the employee chooses, with supervisor approval).
 - 2. All other police department employees will follow the holiday leave policy in the "City of Irving Employee Personnel Policy and Procedures" manual.
 - 3. The use of the unscheduled holiday is governed by "City of Irving Employee Personnel Policy and Procedures" manual, for <u>all</u> employees.
 - 4. If an employee leaves service prior to the actual holiday(s) accrual, any deficit will be deducted from the final paycheck.
 - 5. Holiday hours are maintained in the city payroll system.
- B. Payment in Lieu of Banking Holiday Hours
 - 1. All non-exempt employees who are required to work or are called to duty on an official city holiday may request to receive pay for the holiday in lieu of banking the hours worked. Similarly, if the holiday falls on the employee's regularly scheduled day off, the employee may request to receive pay for the holiday in lieu of banking the hours.
 - a. To request payment, employees are required to enter into Telestaff "Holiday Paid not Banked" and in the "note" area, enter "Holiday Pay". A supervisor is required to approve this request.
 - b. Payment for employees who choose to be paid will be based on the number of hours they work (e.g. employees working a 12-hour shift may be paid up to 12 hours).
 - c. Employees who choose to be paid for a holiday that falls on their RDO may be paid up to 8 hours.

203.07 Compensation Related To Training

- A. Travel time to and from activities such as schools, seminars, or other training activities authorized by the department will be compensated only when the location of the activity is outside Dallas County and its contiguous counties.
- B. Employees are asked to agree, before the activity is authorized, to accept compensatory time (at the rate of 1 ½ times their regular pay) in lieu of overtime pay for any additional hours above the normal work week.
- C. Employees will not be compensated for time spent away from the Dallas County (or contiguous counties) area other than for those hours actually spent attending the activity. School holidays or early releases authorized by the school are considered time attending the activity. Time spent completing homework and projects or other assignments away from the class will be considered part of the in-class requirement and will not be compensated.

- D. Compensatory time applies when the employee has spent in excess of 40 hours in a week attending the activity, including travel time. The actual number of hours spent in a particular school or seminar will be used in calculating total compensable hours.
- E. Mileage costs for use of private vehicles will not be paid unless prior approval is obtained from an assistant chief or the chief of police.

203.08 Special Leave

- A. When justified by the following, employees may be granted leave from duty with pay.
 - 1. Promotional Examinations
 - a. Employees on duty will be granted leave from duty to take promotional examinations administered by the City of Irving. Requests for such leave are coordinated with the employee's supervisor.

2. Voting

- a. All employees are urged to register, become informed, and exercise their rights of citizenship by voting in each election, to include city, county, state, and national elections.
- b. Employees scheduled to report for duty on the date of an election should take advantage of the opportunity to vote before or after completing the scheduled duty period. Additionally, employees planning to be out of the city on the date of an election should take advantage of the opportunity to vote early or absentee before the date of the election.
- c. Employees who report for duty on the date of an election, who want to vote and have not had an opportunity to do so and who will not be off duty for more than two (2) consecutive hours during the time that the polls are open, will be granted leave from duty for a reasonable period required for the employee to vote.
- 3. Military Pre-induction Physical Exam
 - a. Employees will be granted leave for examinations.

B. Payroll Reporting

- 1. Special leave time is reported in the employee's Telestaff calendar by marking the date the leave is taken, the appropriate code, number of hours taken, and a brief explanation of the leave time, e.g., "Special Leave Vote."
- C. Payroll Reporting for Schools, Training, Etc.
 - 1. Telestaff entries for employees attending schools, seminars, conferences, or training sessions that exceed 8 hours will be marked with the appropriate code, number of hours and explanation, e.g., "40 hrs. Accident Investigation DPS Austin."

203.09 Administrative Leave

A. A lieutenant or above or the Professional Standards Sergeant, may place an employee on administrative leave with pay. Leaves of more than one shift require approval by a bureau chief or the chief of police.

- B. Administrative leave is limited to the following circumstances:
 - 1. After an incident or allegation of serious misconduct
 - 2. When psychological services are deemed immediately necessary
 - 3. Situations in which the employee needs time to adjust to a sudden traumatic incident
 - 4. Instances in which it would be in the best interest of the department and/or the employee
- C. The chief of police must be notified of the situation within twenty-four (24) hours.

D. Payroll Reporting

1. Administrative leave time is reported in the employee's Telestaff calendar by marking the date the leave is taken, the appropriate code, number of hours taken, and a brief explanation, e.g., "Administrative Leave."

203.10 Away Without Pay (benefits accrue)

- A. "Away Without Pay (benefits accrue)" is limited to the following circumstances:
 - 1. Suspension without pay
 - 2. Late to work
 - 3. Absence without leave
- B. An "Away Without Pay" designation in an employee's Telestaff calendar will result in the employee not being paid for the period of time designated as absent without pay.
- C. Payroll reporting
 - 1. "Away Without Pay" is reported in the employee's Telestaff calendar by marking the date of occurrence, the appropriate code, number of hours and minutes taken, and a brief explanation, e.g., "Late to work, suspended without pay, etc."

203.11 Shift Exchanges

- A. Shift exchange is defined as a period when one employee voluntarily works for another by mutual agreement. Hours worked by the substituting employee are excluded from the calculation of overtime compensation or compensatory time; when an employee substitutes for another employee, each employee will be credited as if he or she had worked his or her normal scheduled shift. Employees are allowed to exchange shifts with approval of their scheduling supervisor. The following provisions will be adhered to:
 - 1. Non-probationary personnel may exchange duty hours with other personnel of the same rank and who perform essentially the same duties. The agreement to exchange must be made freely and without coercion, direct or implied.
 - 2. Exchange requests must be submitted in a timely manner. Generally, advanced notice of at least seventy-two (72) hours is required for processing and approval of all exchange of duty requests. In the event of an emergency, supervisors may waive the seventy-two (72) hour advanced notice requirement.

- 3. Requests for shift exchanges shall be submitted on the approved form to the scheduling supervisor of each employee requesting shift exchange and shall list the affected dates, involved personnel, and affected section.
- 4. If the exchanging employee's scheduling supervisor approves the request, they shall document their approval on the form and copy the requesting employee and any other affected scheduling supervisor not less than forty-eight hours prior to the first trade.
- In the event an employee fulfilling the shift exchange is unable to work due to illness or unforeseen circumstance, they will make every effort to ensure the coverage is fulfilled. An employee's failure to work the time agreed to may result in the loss of their privilege to participate in subsequent shift exchanges. In the event that the shift is not covered, the employee originally scheduled to work will have to account for the unworked time via their accrued leave balance.
- 6. An employee may not work in excess of sixteen (16) hours in any 24 hour period.
- 7. An employee may not work in excess of seventy (70) work hours in any seven day period.
- 8. Work hours are defined in the General Orders pertaining to secondary/off-duty employment.

204.00 MEAL AND PERSONAL BREAKS

204.01 **Purpose**

This policy authorizes personnel to take breaks as prescribed by law.

204.02 Policy

Employees are allowed meal and personal breaks.

204.03 Meal Breaks

- A. Employees assigned to an eight (8) hour shift are authorized one forty (40) minute meal break per duty shift.
 - 1. Missed meal breaks are not compensable.
- B. Employees assigned to a nine (9) hour shift are authorized an one-hour meal break.
 - 1. Missed meal breaks are compensable and the employee may request overtime or compensatory time.
- C. Employees assigned to a ten (10) hour shift are authorized one forty (40) minute meal break per duty shift.
 - 1. Missed meal breaks are not compensable.
- D. Employees assigned to a twelve (12) hour shift are authorized one forty-five (45) minute meal break per duty shift.
 - 1. Missed meal breaks are not compensable
- E. Communications employees during their four (4) hour work day are not authorized a meal break.
- F. Employees may utilize the department fitness facilities during their meal break. Employees subject to respond to calls for service are reminded that they may be required to respond at any time.

204.04 Personal Breaks

- A. Employees are authorized two fifteen (15) minute breaks per duty shift.
 - 1. Communications employees are authorized one fifteen (15) minute break during their four hour shift.
- B. Missed personal breaks are not compensable.

205.00 NEPOTISM

205.01 **Purpose**

This policy is to prevent conditions of conflict that may arise from employing relatives of employees.

205.02 Policy

This agency will limit the circumstances under which employees may work under the supervision of a relative.

205.03 Definitions

Personnel Issues: Include but not limited to grievances, discipline, transfers, and performance evaluations

Relative: Family members within the second degree of affinity or within the second degree of consanguinity

Spouse: Includes either member of a married pair to include common law spouse and former spouse

Under Supervision: Includes not only the direct chain of command, but also indirect supervision. (e.g. relatives assigned to the same section or patrol shift)

Consanguinity (Blood Relationships):

- 1. First Degree:
 - a. Mother
 - b. Father
 - c. Daughter
 - d. Son
- 2. Second Degree:
 - a. Brother
 - b. Sister
 - c. Grandmother
 - d. Grandfather
 - e. Granddaughter
 - f. Grandson

Affinity (Marriage Relationships):

- 1. First Degree:
 - a. Officer's spouse, to include former or common law

- b. Spouse's son
- c. Spouse's daughter
- d. Father-in-law
- e. Mother-in-law
- f. Son-in-law
- g. Daughter-in-law
- 2. Second Degree:
 - a. Spouse's grandfather
 - b. Spouse's grandmother
 - c. Spouse's brother
 - d. Spouse's sister
 - e. Spouse's grandson
 - f. Spouse's granddaughter
 - g. Brother's spouse
 - h. Sister's spouse

205.04 Assignments

- A. The department reserves the right to reassign relatives to avoid conditions of conflict or perceived bias.
- B. Employees (sworn and civilian) shall not be within two levels under supervision of relatives (e.g. captain can't supervise a sergeant who is related).
- C. No supervisor will directly or indirectly become involved in personnel issues regarding a relative.
- D. Every effort must be made to remove considerations from decisions that may be construed as being relationship biased.

206.00 COURT

206.01 **Purpose**

This policy provides employees with guidelines for court appearances and compensation.

206.02 Policy

Employees must be available to appear in court when requested unless other arrangements have been made as allowed by policy.

206.03 Definitions

Court Notification System: The Dallas County District Attorney's Office electronic subpoena routing system for requesting employees' appearance or contact with the courts

Court Stand-by: An agreement between the court and the employee in which the employee is not required to appear at court unless requested to do so at a mutually agreed upon time

206.04 Subpoenas

- A. Subpoenas may be delivered to the subpoena coordinator in person, by mail, fax, or electronically. The subpoena coordinator will forward the subpoena to the employee involved.
- B. Employees should verify that their requested leave, including RDO's, has been approved and entered into the department's timekeeping system.
- C. The subpoena coordinator will check the employee's availability at the time the subpoena is received. If the employee is scheduled to be on leave, the subpoena coordinator will notify the court. Normal court notification will be made by email or inter-city mail.
 - 1. All employees must check their email on a daily basis when scheduled for duty.

206.05 Court Notification System

- A. Each subpoena received via email by the employee should be acknowledged by logging into the court notify system. If the employee will not be available on the scheduled court date, he or she must notify the subpoena coordinator as soon as possible. In cases that have been escalated, the subpoena coordinator will acknowledge the subpoena with "exception" and state the reason for their unavailability.
- B. Once an employee has acknowledged and accepted the subpoena, it will be the employee's responsibility to notify the court should the employee become unable to attend.
- C. Failure of the employee to acknowledge the routed subpoena will result in the employee's immediate supervisor being electronically notified no later than nine (9) days out.
- D. In the event of a short court setting of seven (7) business days or less, the subpoena coordinator will attempt to contact the employee and e-mail a copy of the subpoena to the employee and the employee's supervisor for immediate delivery. The supervisor will be responsible for ensuring the employee is notified.
- E. Personnel Duty Assignment Changes

- 1. The subpoena coordinator will update the Court Notification System each time there is a personnel change.
- 2. All personnel changes will be forwarded to the subpoena coordinator. Patrol secretaries will forward shift change assignments of personnel within two weeks prior to shift change.

206.06 Court Stand-by

- A. Court standby is an agreement between the employee and the court. If an employee enters into a stand-by agreement with the court, they will give the court a phone number where they can be reached. Once the stand-by agreement is reached with the court, the employee will be held accountable to respond upon the court's request.
- B. The subpoena coordinator is relieved from notification responsibilities once the stand-by agreement is established between the employee and the court.
- C. Standby is not compensable unless called to court. Compensable time begins only upon arrival at the court or at the police station if required to pick up evidence.
 - 1. Once the employee commits to stand-by status, or has been previously routed stand-by, they will not respond to court in person unless notified to appear.

206.07 Court Overtime and Compensatory Time

A. Procedures

- 1. Employees attending municipal court while off-duty will receive a minimum of one (1) hour compensatory time or overtime.
- 2. Employees attending county court while off-duty will receive a minimum of two (2) hours compensatory time or overtime. Officers will receive three (3) hours of compensatory time or overtime if they are called to court while on stand-by.
- 3. Travel time to and from municipal and county court is generally not compensable. Following are the only exceptions:
 - a. If evidence is needed for county court, compensatory time or overtime begins from the time the evidence is picked up at the station until it is returned.
 - b. The initial drive to the station is not compensable, and the drive time is included in the two-hour minimum, if the minimum is not exceeded. [For example, evidence is picked up followed by a 15 minute drive to court. Thirty minutes is spent at court when the case gets reset. There is a 15 minute drive back to the station. Compensatory time or overtime is still two hours (for the minimum amount), not 2 hrs. 30 min.]
 - c. Teleconference testimony while off-duty is compensable beginning with the scheduled time of the call until testimony concludes.
- 4. Should an employee attain on-duty status while attending court, overtime or compensatory time stops at the time on-duty status is attained, whether or not that employee has reached the minimum time.

206.08 Court Leave

A. Eligibility

- 1. All employees are granted leave with pay when subpoenaed to criminal or civil proceedings where any governmental agency is a party in interest, when such matters are related to their employment with the city. If the subpoena requires the employee to be present during their time off, overtime or compensatory time will be granted.
- 2. Employees subpoenaed in civil or criminal cases not related to actual departmental duties will be excused from work. However, lost time is deducted from the payroll unless vacation time or other available leave is requested.

B. Procedures for Requesting Court Leave

- Employees shall notify their immediate supervisor as soon as possible.
- 2. Employees are responsible for submitting the subpoena or other court documentation to their supervisor if requested.

C. Payroll Reporting

- 1. Employees on duty:
 - a. If the court is a Dallas County Court or Irving Municipal Court and the activity is work related no entry is made.
 - b. If the court is outside Dallas County and the activity is work related, court leave time is reported on the employee's Telestaff calendar by marking the date the leave is taken, the appropriate code, number of hours taken, and a brief description of leave time, e.g., "Criminal Court Waco."
 - c. If the court activity is not work related, regardless of the location, the court leave time is reported as in "b" above, except the code is marked as (NP) with a brief description of leave time, e.g., "unpaid court," unless prior arrangements have been made to use vacation or compensatory time.

2. Employees off duty:

a. If the court activity is work related, the employee is granted overtime or compensatory time. The appropriate code is marked, date, number of hours, and brief description of leave, e.g., "Court."

206.09 Employee Appearance

A. Employees will attend court in uniform or in civilian clothing which complies with standards defined in General Order section 700.00.

207.00 DRUG SCREENING

207.01 Purpose

This policy provides testing guidelines to detect the use of illegal drugs for prospective and current employees.

207.02 Policy

The police department strives to maintain a safe work environment and protect the public by ensuring that its employees are fully capable of performing their assigned duties. All employees must be free from drug dependence, illegal drug use or drug abuse.

207.03 Definitions

Drug Screen: A medical examination(s) or test(s) administered under approved conditions and procedures to detect the presence of drugs.

Illegal Usage: Participation in any activity that would be deemed criminal by the State of Texas or under federal law.

Periodic Random Drug Screening: The unannounced scheduling of a drug screening examination, not to exceed twice in a calendar year, without specific approval from the chief of police.

Reasonable Suspicion: An apparent state of facts and/or circumstances which would induce a reasonable and prudent person to suspect a person was abusing, under the influence of, or using controlled substances or dangerous drugs.

Supervisor: Employees assigned to a position having day-to-day responsibility for supervising subordinates, or one who is responsible for commanding a work unit.

207.04 General Rules

- A. Employees will not take any controlled substances or dangerous drugs unless prescribed to them by a person licensed to practice medicine. Any illegal use of controlled substances or dangerous drugs by an employee, whether on duty or off-duty, will not be tolerated. The illegal use of dangerous drugs or controlled substances while on duty may result in termination of employment.
- B. Police employees who have reasonable suspicion to believe that another employee is illegally using controlled substances or dangerous drugs will report the facts and circumstances immediately to their supervisor or Professional Standards.
- C. In the event that an employee is found to have used illegal drugs or controlled substances, depending on the circumstances of such use, the employee may be granted an opportunity for rehabilitation, medical treatment, or other assistance as reasonable and necessary. While any drug abuse cannot and will not be condoned, the circumstances leading to the problem will be considered before disciplinary action is taken.
- D. Failure to comply with the provisions of this General Order, including the duty to report other employees' suspected drug use may be grounds for disciplinary action. Refusal by an employee to submit to the required drug screen or follow this General Order may result in immediate relief from duties pending disposition of administrative personnel action.

207.05 Scope of Drug Screening

- A. Applicants for the position of police officer are required to submit to screening for controlled substances or dangerous drugs as a part of their pre-employment medical examination.
 - 1. An applicant who refuses to submit to the drug screen or to allow reporting of the examination results will be removed from employment consideration.
 - 2. Applicants found to be involved in the illegal sale, possession, manufacture, or distribution of any controlled substance or dangerous drug may be rejected.
 - 3. The results of drug screens on applicants for the position of police officer are kept confidential.
- B. All civil service promotional candidates are screened as a part of their promotional medical examination.
- C. Vice, Narcotics, and K-9 Personnel:
 - 1. Prior to being accepted in an assignment in Vice, Narcotics, or K-9 Unit, an officer will execute a written agreement stating that he/she fully consents to periodic random drug screening for the duration of the assignment. Refusal to consent is grounds for denial of the assignment or transfer. Drug screening will be performed at least once annually.
 - 2. The division commander or bureau chief of the Vice and Narcotics Section will select the date and time when each officer assigned to the section will be screened. This scheduling is coordinated with the Professional Standards Section Lieutenant.
 - 3. Drug screening at the conclusion of the assignment is mandatory in order to determine if an officer's health and well-being have been adversely affected during the assignment.
- D. Property and Evidence Personnel:
 - 1. Prior to being accepted in an assignment to the Property and Evidence Section, an employee will execute a written agreement stating that he/she fully consents to periodic random drug screening for the duration of the assignment. Drug screening will be performed at least once annually.
 - 2. The division commander or bureau chief of the Property and Evidence Section will select the date and time when each employee assigned to the section will be screened. This scheduling will be coordinated with the Professional Standards Section Lieutenant.
- E. Any department employee may be screened if suspected on an objectively reasonable basis to have illegal drugs or substances. Any sworn employee may be screened if directly involved in any incident in which the death or serious bodily injury of another person occurs.
 - 1. An order for drug screening under these circumstances must be in the form of a memorandum from the chief of police or designee.
- F. All drug screenings of department employees are coordinated with the Professional Standards Section Lieutenant.

207.06 Manner of Screening

A. An employee taking a drug screen ordered by the chief of police or designee will be accompanied to the medical facility by Professional Standards or a supervisor.

- B. The screening will be administered by a department approved medical facility utilizing laboratory procedures standard to the drug screen field. The department will monitor such procedures to ensure the integrity and confidentiality of the examination.
- C. At the time of the test, the employee must sign all forms required by the medical facility, including release of the results to the department.

207.07 Results of Drug Screens

- A. All drug screen results are furnished to the Office of the Chief of Police. They are available for inspection only by the chief of police, Professional Standards Section Lieutenant, and the affected employee.
 - 1. Results indicating the presence of illegal drugs are maintained in a confidential sealed file. Negative results are destroyed after inspection.
- B. In the case of a positive result, a second test is automatically administered. This second test is known as a confirmation test. No positive report will be made to the department until the completion of the second test. At the request of the employee, a third test may be administered by a certified medical facility mutually agreed upon by both the employee and the department.
- C. Employees found to have used a controlled substance or dangerous drug will provide explanation in writing to the chief of police regarding the presence of drugs in his/her system.

208.00 BUILDING SECURITY

208.01 Purpose

This policy provides guidelines for securing and controlling access to Irving Police Department facilities.

208.02 Policy

This agency will control access to non-public areas of its buildings.

208.03 Procedure

A. Building Access

- 1. All police facilities are divided into two areas:
 - a. Restricted areas where CJIS data is accessed or viewed, and
 - b. Public areas where members of the public are allowed access without an escort.
- 2. Visitors must display a visitor badge and be escorted while in restricted areas. The Technical Services Division will change the visitor badges semiannually and will retain visitor logs in compliance with CJIS policy.
- 3. CJIS information will be secured when employees are away from their work station.
- 4. Non-law enforcement personnel entering the jail must receive permission from the jail supervisor prior to entering or be escorted by another sworn supervisor.

208.04 Proximity Card Access

- A. The Administrative Services Bureau Chief is responsible for the maintenance of the card access system and the assignment of access codes.
- B. Employees are provided individual proximity cards for entry into restricted access areas. Employees will not give their proximity cards to anyone.
- C. Access into restricted areas may be denied to employees depending on the need for the access. Questions regarding access to restricted areas should be referred to the employee's division commander.
- D. Employees who have lost their proximity card will immediately notify their supervisor in writing. Multiple occurrences should be addressed through discipline.

209.00 RECORDS MANAGEMENT

209.01 **Purpose**

This policy establishes guidelines for the privacy, security, and retention of agency's law enforcement records, in compliance with applicable state laws.

209.02 Policy

The Irving Police Department operates and maintains a fully integrated, computerized police records management system. The agency's centralized records system is secured in an access controlled police records room. Police records shall be accessible to authorized police personnel, on a need-to-know basis, to perform their official law enforcement duties.

209.03 Procedures

- A. The department Records Management System is a comprehensive computerized information management system with the following functions:
 - 1. Offense, incident, and arrest records
 - Field interviews
 - Uniform crime reports
- B. Juvenile Records
 - 1. In compliance with state law, the police records clerk shall maintain juvenile criminal records separately from adult criminal records, with restricted access.
 - 2. Juvenile criminal records are confidential by state law and not open to public inspection.
 - Access to juvenile criminal records shall be restricted to a need-to-know basis by law enforcement or criminal justice officials.
 - 4. The police department is not authorized to release juvenile information, with the exception of notification of school of a student's arrest and convicted registered sex offenders.
- C. In addition to the agency's computerized arrest records/scanned documents; the agency may maintain some paper records for each person arrested by the department, in compliance with state law.
 - 1. The police records clerk shall file the individual paper criminal history records alphabetically by the offender's last name in the police record's room.
 - 2. Each person who has been arrested shall have only one jail identification number issued through our Jail Management System.
 - 3. Officers may access criminal history records through local, state, or federal information systems, such as the agency's records management system, TCIC or NCIC.
 - 4. By state law, criminal history records are "confidential," intended for dissemination among criminal justice agencies.
- D. Although the majority of law enforcement records fall within the scope of the Texas Public

Information Act, police records are considered "confidential." The privacy and security of the agency's central records shall be in compliance with agency policy and local and state laws.

- Generally, the information shall be restricted to law enforcement functions and accessible on a need-to-know basis.
- 2. The release of information to the general public shall be in compliance with the Texas Public Information Act.
- 3. The security of the agency's central records system is two-fold:
 - a. The agency's central records computer system is protected by access codes and employee's passwords. The Information Technology Department performs daily data backup of agency records to ensure data retrieval.
 - b. Hard-copy records are maintained by the police records clerk(s) in a secure locked police records room, and access is denied to the public.
- E. At the direction of a court expungement order, the police records supervisor shall expunge a record by removing the information and sending all related hard-copy records and microfilm/fiche, including the offense report, supplements, affidavits, and confessions, as directed by the court, to the district clerk's office. The police records clerk will then delete any electronic records from the agency's database file.
- F. The department will adhere to the city's records retention schedule, in compliance with state law.
- G. The department shall provide appropriate training for the police record's manager including:
 - 1. Texas Public Information Act
 - 2. Public notary laws
 - 3. Uniform crime reporting/ NIBRS
 - 4. Texas State Library Retention Schedule

210.00 OPEN RECORDS REQUESTS

210.01 **Purpose**

This policy creates departmental guidelines that comply with Chapter 552 of the Government Code, known as the Public Information Act

210.02 Policy

The right of citizens to obtain public information will be upheld and all requests for information will be forwarded to the proper persons.

210.03 Procedure

- A. The chief administrative officer of a governmental entity is defined as the officer for public information. In Irving, this is the city manager.
- B. Each department head is designated as an agent of the officer for public information. For the police department, this is the chief of police. Other agents can also be designated to carry out the responsibilities of the department head concerning the Public Information Act.
- C. Various divisions or sections in the department will handle requests for access or copies of information according to what is requested.
- D. The department head or his/her designated agent will review requests as soon as practical. If the agent determines that they should release the requested information, he/she should do so. All requests not released through the normal course of business by the Records Section should be sent to the legal advisor for review and release.
- E. The department must provide the information available for release to the requestor within ten (10) business days or notify them before the tenth day that additional time is needed.
- F. If the information requested does not involve the police department, the agent for the police department who received the request will ensure that it is immediately sent to the appropriate city department.
- G. Requests for information, including correspondence and other documentation relating to the request, will be retained by the department for one year.
- H. Distribution of confidential information or failure to provide information that is not confidential makes the agent criminally liable for official misconduct.

210.04 Requests Involving Records Section

- A. The Records Manager is the designated agent for all requests involving information normally processed through the Records Section of the department. This includes, but is not limited to, requests for:
 - Accident, offense, or arrest reports
 - 2. The daily calls for service log
 - 3. Local criminal history reports

210.05 Requests from the Media

- A. The Public Information Officer is the designated agent for requests from the media. These requests include, but are not limited to:
 - 1. Suspect or arrestee information such as names, descriptions, pictures, etc.
 - 2. Crime scene information
 - 3. Press releases
- B. Refer to General Order 601.00 for more information and exceptions regarding press relations.

210.06 Requests Involving Police Legal Advisor

- A. The police legal advisor is the designated agent for all requests for information regarding:
 - 1. Department employees, such as disciplinary files, personnel files or training files,
 - 2. Any litigation, whether ongoing or reasonably anticipated.
 - 3. Requests for statistical information that is not available through the Police Records Section.

210.07 Other Requests

A. All requests for information, regardless of the content of the request, will be referred to one of the above agents. The agent will ensure the request is handled promptly and properly. Any questions regarding a request can also be answered by contacting one of the listed agents.

211.00 EARLY ALERT SYSTEM

211.01 **Purpose**

This policy establishes a program of systematic oversight and assistance to improve and maintain employee performance.

211.02 Policy

The early alert system program is utilized by this department for tracking and reviewing incidents of risk to the department, its employees, and citizens. The early alert system shall be used as a means to identify and assess employee performance in designated areas. The intent of the early alert system is to provide non-disciplinary intervention, as needed to assist employees.

211.03 Definitions

Blue Team: Supplemental software to IA Pro that allows employees to directly enter incidents and process them electronically through their chain of command.

Early Alert System: Process designed to assist supervisors in identifying employees whose performance or behavior may warrant review. Occasionally, intervention may be necessary in circumstances that may have negative consequences for the employee, co-workers, the department, or the general public. The early alert system is **not** a form of discipline.

El Pro: Supplemental software to IA Pro that allows supervisors to view incidents stored in IA Pro for employees within their purview.

IA Pro: Software used to store, track, and generate reports related to police incidents.

211.04 Responsibilities

Professional Standards is responsible for the administration of IA Pro database, Blue Team, and the early alert system.

211.05 Procedures

- A. The department will establish individual numerical thresholds for citizen complaints, internal investigations, response to resistance, and vehicle pursuits as well as a threshold for any combination of these incidents. Police vehicle accidents or incidents will only count toward the established combined threshold. If the threshold is exceeded within a predetermined timeframe, a mandatory supervisory review of the employee's performance will be initiated.
- B. The chief of police shall receive a quarterly report identifying police personnel who exceed the established numerical threshold of incidents or combinations of incidents.
- C. These reports will provide a brief summary of the threshold incidents and their respective dispositions during the previous quarter. These reports shall draw no conclusions nor make any determinations concerning job performance.
- D. Supervisor Responsibilities
 - 1. Upon receiving an alert from IA Pro that an established threshold has been exceeded, Professional Standards shall send the alert to the employee's direct supervisor using the

- IA Pro and Blue Team software. This alert will contain all of the events that caused the threshold to be exceeded.
- 2. If upon review of the incidents, the employee's supervisor finds no issues that need to be addressed, the affected employee's direct supervisor shall make comments on the alert in Blue Team summarizing their review of the employee's performance and send it back to Professional Standards.
- 3. If Professional Standards concurs with the direct supervisor's review of the incident then the early intervention alert shall be closed and stored in IA Pro.
- 4. If Professional Standards determines that further review or that intervention may be necessary, the alert and supervisor review shall be provided to the appropriate bureau chief for review. The bureau chief shall review the documentation and confer with the affected employee's chain of command to determine the most appropriate level of intervention necessary, if any, to assist the employee in improving their performance.
- 5. If the direct supervisor determines during their initial review that some form of intervention is necessary, then the supervisor shall forward the Blue Team alert with their recommendation through their chain of command.
- 6. Upon approval of the bureau chief, the recommended intervention measures shall be implemented and the alert will be permanently stored in IA Pro.
- 7. If further intervention methods are deemed necessary, the affected employee's direct supervisor shall meet with the employee to discuss their job performance concern and the recommended action plan.
- 8. The affected employee's direct supervisor shall monitor and formally report through the chain of command on the progress of the subject employee in complying with the recommended action plan based on the intervals set forth in the plan.

E. Employee Responsibilities

- 1. Once an employee has been identified by the early alert system and has been notified by their supervisor of a pending mandatory review, the employee will cooperate with the supervisor and/or Professional Standards personnel in identifying reasons for and resolutions to departmental concerns regarding the employee's actions and performance.
- 2. The employee shall follow the agreed upon plan of action to completion.

F. Potential Intervention Measures

- 1. The intent of the program is to identify employees who might benefit from supervisory intervention. It may be determined, through review, that no further action is needed. Intervention measures, when warranted, may include, but are not limited to, any of the following remedial measures:
 - a. Requiring the employee to participate in agency-authorized training, targeting personal or professional problems that the officer may be facing (e.g., communication skills, cultural awareness, coping with stress, anger management, etc.)
 - b. A performance improvement plan
 - c. Temporary or permanent reassignment or transfer

d. Referral to the employee assistance program or mental health professional, as appropriate

211.06 Review/ Revision of the Early Alert System

A. Annual Review

- The Professional Standards Section will conduct an annual evaluation of the early alert system to assess its effectiveness in identifying employees in need of intervention, the ability of the program to increase department accountability to the public, and the ability of the program to offer employees a better opportunity to meet the department's values and mission statement.
- 2. The evaluation will include a review of established numerical thresholds to ensure they are reasonable as compared to historical norms of agency personnel functioning in the same or similar assignments. This evaluation can result in the raising or lowering of thresholds at the discretion of the chief of police.
- 3. The evaluation must contain a statement of the number of incidents or combination of types of incidents and activities considered to be the threshold indicating a need for intervention.
- 4. The chief of police may modify the threshold count at his/her discretion based on current events, incidents, historical data, and/or need.

212.00 COMMUNITY OUTREACH

212.01 **Purpose**

This policy affirms the department's commitment to seek out opportunities for all employees to interact with the public and to build trusting relationships with the community.

212.02 Policy

The Irving Police Department will embrace the principles of community policing and engage the community in a positive and trusting manner. We believe proactive policing equally requires community partnerships and enforcement activity to provide police service to our community. It is the goal of the Irving Police Department for all employees to promote good relationships with the public, facilitated by professional conduct and effective community outreach. The Irving Police Department will seek community feedback at every opportunity in order to achieve this goal.

212.03 Community Outreach

- A. The department will engage in constructive community outreach programs that provide opportunities for members of the community and the police department to interact.
 - 1. Community outreach programs may include, but are not limited to: neighborhood meetings, Coffee with a Cop, Shop Talk, social media outlets, Police Athletic League, Blue Christmas, Citizens Police Academy, P.R.I.D.E., and community surveys.
 - 2. Community feedback will be sought in order to ensure that the goal of community outreach is being met. Community feedback will be obtained through each of these programs and used ensure that departmental goals related to community outreach are being met.

212.04 Employee and Supervisor Responsibilities

- A. All employees are expected to participate in community outreach programs, particularly those initiated by their division or section.
- B. Supervisors will ensure that, when practical, employees are given opportunity to participate in community outreach programs, particularly those that are taking place within their division, section, or geographic area of responsibility.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

300.00 OPERATIONS

301.00 AUTHORIZED FIREARMS

301.01 Purpose

This policy provides guidelines for the firearms and ammunition that officers are authorized to carry on and off-duty.

301.02 Policy

The Training Academy maintains a list of approved firearms and ammunition authorized by the chief of police.

301.03 Procedures

- A. Only certified police officers are permitted to carry a firearm.
- B. Officers are responsible maintaining their weapon(s).
- C. When special circumstances justify it (e.g., a covert assignment), division commanders may authorize a substitute handgun that is not on the approved firearms list by notifying the Training Academy Sergeant in writing that an exception has been approved. The officer approved for the exception is required to successfully complete the police department's firearms qualification course with the substituted firearm.

301.04 Off-Duty Handguns

- A. While off duty, officers may carry any handgun with which they have qualified.
- B. Officers must comply with the following:
 - 1. Successfully complete a departmental firearms qualification course once a year with each off-duty handgun;
 - Annual inspection by a Training Academy armorer of handgun(s) at qualification;
 - 3. Only factory load ammunition may be used;
 - 4. Armor piercing, tracer, reloaded or exploding bullet ammunition is prohibited
 - 5. Officers are responsible for providing the required ammunition, other than 9mm, .40cal or .357, and for maintaining the weapon.

301.05 Secondary Handguns

- A. Officers may carry a secondary handgun on duty if it is concealed
 - 1. Secondary handguns must be of .38 caliber or larger
- B. This handgun should be used only if using the primary weapon is not an option.
- C. Officers approved to carry a secondary handgun are required to follow the same guidelines for off-duty handguns in General Order 301.04.

301.06 Rifle, Shotgun and Ammunition

- A. The department supplies and maintains rifles, shotguns and ammunition for duty use.
 - 1. Officers may purchase, at their own expense, an approved police rifle and/or shotgun to carry on-duty.
 - a. No unauthorized modifications or equipment may be added.
 - b. Officers must take their personally owned rifle and/or shotgun to the Training Academy for inspection, qualification, and recording of the weapon's serial number prior to on-duty use.
 - c. Officers must successfully complete a departmental weapon qualification course once a year with the rifle and/or shotgun.
 - d. Officers who carry a personally owned rifle and/or shotgun are issued duty ammunition. Only department issued ammunition may be carried or loaded during on-duty use.
 - e. Officers who carry their personal shotgun will remove any department shotgun from their assigned police vehicle and properly store it in accordance with division S.O.P. Officers shall return the department shotgun to the police vehicle at the end of their shift.

301.07 Special Firearms and Ammunition Exceptions

- A. The chief of police may authorize officers in specialized sections to carry special firearms and ammunition.
- B. The commander responsible for the section will ensure that authorized officers are properly trained in the use of such firearms and will maintain the list of authorized special firearms and ammunition.

301.08 Repair or Replacement of Issued Firearms

- A. All firearms are issued through the Property Room except for temporary weapons, which may be issued by the Training Academy.
- B. When a department issued weapon is lost or stolen the officer will submit a lost property incident report in Blue Team through the chain of command. The Personnel and Training Lieutenant may require a memo to the chief of police for an inoperative or damaged weapon.

- C. An inoperative or damaged weapon shall be turned in to the Training Academy or the Property Room if the Training Academy is closed.
 - 1. Only a department armorer has the authority to repair department issued weapons.
 - 2. The Training Academy shall keep records of all firearms repairs.
- D. A lieutenant, a property assistant, with lieutenant approval or a member of the Training Academy staff may issue a temporary replacement weapon to an officer. Only a temporary handgun of the same caliber and action type will be issued.

301.09 Firearms Safety

A. Handling and Storage

- 1. Officers shall use a clearing barrel or cabinet when loading or unloading handguns inside a police building
- 2. Before entering the police building, shotguns must be unloaded with the slide locked back and the breech open
- 3. Shotguns must be loaded and unloaded outdoors with the barrel pointed upward, in a location free from any overhead obstructions.
- 4. Loading or unloading shotguns inside a police vehicle is prohibited.
- 5. Shotguns carried into a police facility are carried with the breech open and barrel up.
- 6. Shotguns carried in police vehicles are carried securely in a shotgun rack or locked storage container with a full magazine, the chamber empty, and safety on.

B. Firearms Safety in a Police Facility

Generally, weapons should remain holstered while inside a police facility.

- 1. Anyone handling a firearm should assume that it is loaded and take necessary precautions.
- 2. Firearms will not be dry fired within a police facility
 - a. Armorers may dry fire weapons during the performance of their duties
 - b. Dry fire is permitted during cleaning and maintenance, while inside the clearing cabinet
- 3. When handing a firearm to someone else, it will be unloaded and will have the breech/chamber empty, cylinder/slide open, and the rounds/magazine detached.
- 4. Firearms shall be secured at all times.

301.10 Changing Handguns

A. Officers are not allowed to change from one department-issued handgun to another unless a Training Academy firearms instructor recommends it to improve their firearms proficiency.

В.	No approval or recommendation is needed if an officer purchases one approved by the department. The officer will have to successfully complete the IPD firearms qualification course for the handgun.

302.00 FIREARMS TRAINING AND QUALIFICATION

302.01 Purpose

This policy provides guidelines for firearms training and qualification.

302.02 Policy

All regular and reserve police officers will qualify annually with the firearms they carry.

302.03 Definitions

Enhanced Firearms Training: Firearms training required for any officer scoring between 70 and 79 on the first attempt of the departmental handgun qualification course. The officer will be assigned a Firearms Mentor who will provide training at least quarterly training until the following department qualification.

Firearms Mentor: A current IPD firearms instructor approved by the Training Sergeant to provide enhanced or remedial firearms training.

Honorably Retired Irving Officer: A sworn Irving officer who did not retire in lieu of disciplinary action or while under investigation and is eligible to receive either a pension for service as a law enforcement officer in Texas or a City of Irving disability pension.

Passing Firearms Score: TCOLE minimum qualifying score (70) on the departmental handgun qualification course.

Proficient Firearms Score: Minimum qualifying score (80) on the departmental handgun qualification course requiring no Enhanced Firearms Training (department's firearms proficiency goal).

Remedial Firearms Training: Firearms training required for any officer scoring below a 70 on the first attempt of the departmental handgun qualification course. The officer will be assigned a Firearms Mentor who will provide training at least every other month until the following department qualification.

302.04 Training and Qualification

- A. The Personnel and Training Section will designate the dates and locations for firearms training and qualification.
- B. Only department firearms instructors will supervise firearms training and qualification sessions.
- C. A firearms instructor is in charge of all training and qualification participants, regardless of their rank or position.
- D. All personnel have responsibility for the safety of the range. All violations will be reported to the firearms instructor.
- E. The firearms instructor will record the qualification course and scores for each type of weapon used.
- F. Qualification courses and proficiency scores approved by the chief of police meet or exceed TCOLE standards.

302.05 Handgun Qualification

- A. Any officer who fails to achieve a Passing Firearms Score on the first attempt will be required to attend Remedial Firearms Training with a Firearms Mentor and follow all training recommendations.
- B. If the officer fails to achieve a Passing Firearms Score after their second attempt:
 - 1. The Training Sergeant will notify the officer's immediate supervisor of the qualification failure.
 - 2. The division commander will restrict the officer to the station during the officer's duty hours until the officer successfully qualifies.
 - 3. The Firearms Mentor will provide Remedial Firearms Training prior to further attempts to qualify. Each officer will have a personalized training plan.
 - 4. A firearms training report will be completed on Remedial Firearms Training student, stating the deficiencies observed, prescriptive training recommended, and results of the prescriptive training.
- C. Any officer who fails to achieve a Passing Firearms Score after completing Remedial Firearms Training and who, in the professional judgment of the Firearms Mentor has not responded to their prescriptive training plan and cannot qualify will be deemed to have not met the minimum standards required to maintain peace officer status and will be subject to dismissal.
- D. Any officer who fails to achieve a Proficient Firearms Score is required to attend Enhanced Firearms Training with a Firearms Mentor and follow all recommendations.
 - 1. Each officer will have a personalized plan and will be reevaluated for additional enhanced training.
 - 2. The training goal is to monitor marginal shooters and produce more proficient, confident shooters.
 - 3. A firearms training report will be completed on each Enhanced Firearms Training student stating the deficiencies observed, prescriptive training recommended, and results of the prescriptive training.

302.06 Shotgun Qualification

- A. Officers are required to qualify with the shotgun annually.
- B. Qualification courses and proficiency will meet or exceed TCOLE standards.
- C. Officers who fail to qualify are not allowed to carry a shotgun until complying with all additional training recommendations and successfully completing the shotgun qualification course.

302.07 Rifle Qualification

- A. Officers certified to carry the rifle are required to qualify annually.
- B. Qualification courses and proficiency will meet or exceed TCOLE standards.
- C. Rifle Qualification
 - 1. 70 = TCOLE Passing

- 2. 90 = IPD Passing
- D. Any officer who fails to meet the IPD passing score of 90 on the first attempt will make a second attempt as soon as reasonable and practical.
- E. Any officer who fails to meet the IPD Passing score of 90 on the second attempt will not be allowed to carry the rifle until successfully completing a remedial 40-hour basic rifle course and qualifying with an IPD passing score.

302.08 Retiree Letter of Retirement in Good Standing and Handgun Qualification

- A. Honorably Retired Irving Officers who apply for a License to Carry under § 411.199 Texas Government Code may contact the Training Sergeant to request a letter of retirement in good standing from the chief of police.
- B. Honorably Retired Irving Officers are permitted to use the department's range to demonstrate weapons proficiency to comply with Section 1701.357, Texas Occupations Code, Section 46.15, Texas Penal Code, and 18 U.S.C. 926C.

303.00 RESPONSE TO RESISTANCE

303.01 Philosophy

A reverence and respect for the dignity of all people and the sanctity of human life shall guide all training, leadership, and procedures, as well as guide officers in the use of force.

303.02 Purpose

This policy provides police/detention officers of this agency with guidelines for responding to unlawful resistance with objectively reasonable force.

303.03 Policy

Irving Police Officers will continually assess options, utilizing de-escalation techniques when appropriate, and will only apply force that is objectively reasonable to effectively bring an incident under control while protecting officers and others. The reasonableness of the use of force cannot be supported solely by the subjective declaration of any one officer. Each incident is to be judged objectively and from the perspective of a reasonably prudent officer in light of the totality of the same or similar circumstances. The use of force will be in accordance with Irving Police Department training.

303.04 Definitions

Assess: The act of continuously evaluating a situation to select an objectively reasonable response for the circumstances. Depending on the suspect's actions, the selected response may include continued use of a chosen technique, de-escalation techniques, or an escalated response.

Deadly Force: Any use of force that creates a substantial risk of causing death or serious bodily injury.

De-escalation: Tactics, techniques and actions that seek to minimize the likelihood of using force or the amount of force required during an incident without compromising safety and law enforcement priorities.

Non-deadly Force: Any use of force other than deadly force, including physical effort used to control or restrain another, or to overcome resistance of another.

Objectively Reasonable: The reasonableness of an officer's use of force is based upon the totality of the circumstances known by the officer at the moment the force is used. Officers will consider the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officer or others, and whether the suspect is actively resisting arrest or attempting to flee. This standard is based on what a reasonable officer would do under similar circumstances.

Officers: For the purposes of this policy, the term "officers" refers to both police and detention officers.

303.05 Procedures

A. Use of Deadly Force

- When objectively reasonable, officers are authorized to use deadly force to protect officers or others from what is believed to be an immediate threat of death or serious bodily injury.
- 2. The use of a firearm at or from a moving vehicle is prohibited unless the officer reasonably believes that deadly force is immediately necessary to protect their life or the

life of another. Officers shall, when feasible, move out of the path of a moving vehicle to a position of cover.

- B. Deadly Force Restrictions
 - 1. Firing warning shots is prohibited.
- C. Use of Non-Deadly Force
 - 1. Where deadly force is not authorized, officers may use only that level of force which is objectively reasonable to bring an incident under control.
 - 2. Officers are authorized to use non-deadly force techniques and issued equipment to:
 - a. Protect the officer or others from physical harm
 - b. Restrain or subdue a resisting individual and/or
 - c. Bring an unlawful situation safely and effectively under control

303.06 Use of Force Options

- A. Officer Presence: identification of authority
- B. Verbal Direction: commands of direction or arrest
- C. Soft empty-hand control techniques
 - 1. When objectively reasonable, officers are authorized to use soft empty hand control techniques.
 - Soft empty-hand control techniques generally will not cause injury and include joint locks, pressure points, and knee strike distraction techniques to the thigh. Note: knee strikes to the common peroneal that are intended to create a motor dysfunction are more likely to cause an injury and are considered hard empty hand control.
- D. Oleoresin Capsicum (OC) Spray
 - 1. When objectively reasonable, officers are authorized to use OC spray issued by the department.
 - 2. Before being allowed to carry OC spray, officers must be certified through a departmentally sanctioned training program.
 - 3. Any arrestee who has been sprayed with OC must be transported to the jail or appropriate medical facilities and observed.

E. TASER

- 1. When objectively reasonable, officers are authorized to use TASER.
- 2. Only officers who are certified to use TASER through a departmentally sanctioned training program are authorized to carry one.
- Officers are responsible for ensuring their TASER is in working order before use.

F. Hard Empty Hand Control

- 1. When objectively reasonable, officers are authorized to use hard empty-hand control techniques.
- 2. Hard empty-hand control techniques are likely to causes injuries such as bruises, contusions, or lacerations. These techniques include but are not limited to kicks and strikes or takedowns on hard surfaces such as concrete and asphalt.

G. Lateral Vascular Neck Restraint (LVNR)

- 1. When objectively reasonable, officers are authorized to use the LVNR.
- 2. Only officers certified to use LVNR, through a department-sanctioned training program, are authorized to use this technique.
- 3. The "bar arm" neck restraint is prohibited unless deadly force is justified. Pressure against a suspect's trachea is permitted only in immediate defense of life.

H. Intermediate Weapons

- 1. Baton
 - a. When objectively reasonable, officers are authorized to use departmentally approved expandable batons.
 - b. Only officers certified to use the baton, through a departmentally sanctioned training program, are authorized to carry one.
- 2. Flexible Baton (Beanbag) Round
 - a. When objectively reasonable, officers are authorized to use the flexible baton
 - b. Only officers certified to use the flexible baton round, through a departmentally sanctioned training program, are authorized to use it.

I. Deadly Force

1. When objectively reasonable, officers are authorized to use deadly force to protect officers or others from what is believed to be an immediate threat of death or serious bodily injury.

303.07 Reporting

- A. Officers are required to report to their immediate supervisor the following events:
 - 1. Any use of force greater than soft empty-hand control;
 - 2. Any use of force which results in injury or claims of injury;
 - 3. Displaying a TASER in the presence of anyone with the intent to gain compliance; or
 - 4. Displaying a firearm in the presence of anyone with the intent to gain compliance.
- B. Officers will complete the Response to Resistance Report and forward it to their immediate supervisor.

- 1. A Response to Resistance Report is required for any use of force greater than soft empty-hand control or any use of force that results in injury or claims of injury.
- 2. A Response to Resistance Report is required for displaying a TASER or firearm in the presence of anyone with the intent to gain compliance unless:
 - a. The firearm or TASER display occurred pursuant to an operational plan; or
 - b. The officer displaying the firearm or TASER was a back-up officer on a high-risk traffic stop; or
 - c. The incident was video and audio recorded on the body camera of the officer who displayed the TASER or firearm; and
 - d. The body camera recording provides sufficient information for the supervisor to adequately review the incident.
- 3. Officers shall tag and categorize the body camera video recordings that depict all reportable uses of force, TASER displays or firearm displays using the retention categories designated for those events.

C. Supervisor's Responsibilities

- 1. Ensure the use of force, TASER display or firearm display conforms to department policy and training.
- 2. Ensure the Response to Resistance Report is completed when applicable and the body camera video recordings are properly tagged and categorized.
- 3. Ensure injured officers/subjects receive or are offered treatment for their injuries
- 4. Notify their division commander, the Criminal Investigations Division, and Professional Standards when deadly force is used or when there is serious bodily injury.
- 5. Ensure that digital photographs are taken of any observed or reported injury and of any involved person or officer and included with the Response to Resistance Report.
- 6. Forward Response to Resistance Report and photographs through the chain of command.
- D. Sworn personnel are required to immediately report off-duty use of force incidents to an on-duty supervisor.

303.08 Training

- A. Officers shall receive annual training on the following topics;
 - 1. Use of Force objectively reasonable standard
 - 2. Use of deadly force
 - 3. Firearms proficiency
 - 4. Empty-hand control techniques
 - 5. Oleoresin capsicum (OC) spray

- 6. TASER (if assigned one)
- Lateral Vascular Neck Restraint
- 8. Baton
- 9. Flexible baton

303.09 Departmental Review of Deadly Force

- A. The Professional Standards Section will conduct an investigation into all instances of deadly force. This investigation is separate and independent from any criminal investigation. Under the following situations, Professional Standards shall be notified immediately:
 - 1. When officers discharge firearms under any circumstances, on or off-duty, except during training sessions or recreational activities.
 - 2. When the use or attempted use of deadly force causes serious injury or death to any person as the result of police action or the conduct of an officer whether on or off-duty.
- B. Professional Standards will immediately place on administrative leave any employee, whose actions cause serious injury or death, pending a preliminary review of the incident.
- C. If injury or death to any person is caused by an officer discharging a firearm in the performance of an official duty, Professional Standards will complete the Peace Officer Involved Injuries or Death Form and submit it to the Attorney General's Office by the prescribed deadline. A copy of each report submitted shall be available for public viewing on the police department website.
- D. The completed deadly force review will be forwarded to the chief of police.

303.10 Use of Force Review

- All response to resistance reports are forwarded to and reviewed by the appropriate chain of command.
- B. The Use of Force Review Board meets at least quarterly to review all use force. The review board's purpose is to ensure policy compliance and to identify areas for improvement or needed training.
- C. The Field Operations Bureau Chief chairs the Use of Force Review Board. The board is comprised of the following personnel:
 - 1. Legal advisor,
 - 2. Patrol Captains,
 - 3. Technical Services Captain,
 - Jail Lieutenant,
 - 5. Professional Standards Lieutenant and Sergeant
 - 6. Personnel & Training Section Lieutenant,
 - 7. Training Academy Sergeant,

- 8. Defensive Tactics/Use of Force Instructors and,
- 9. Representatives from organizations representing department employees.
- D. The board will submit a written annual report outlining its conclusions and recommendations to the chief of police. This report will include, but not be limited to:
 - 1. Trends or patterns
 - 2. Number of use of force incidents by division
 - 3. Number of uses of force involving arrest
 - 4. Number of incidents by use of force option
 - 5. Number of uses of force resulting in injury
 - 6. Number of civilians injured/severity
 - 7. Number of officers injured/severity
 - 8. Recommendations for improvements in use of force training or policy
 - 9. Recommendations regarding prevention of use of force injuries
 - 10. Other recommendations or comments determined necessary by the panel
- E. The board will convene as soon as practical after the last day of the calendar year and meet at the discretion of the board chair. The board's final report will be due within forty-five (45) calendar days from the date of the first meeting.
- F. The results will be presented to the staff and training academy personnel.
- G. The final report will be available for review by members of the department.

304.00 TASER

304.01 Purpose

This policy describes the proper use of the TASER.

304.02 Policy

This agency will provide officers with less-lethal alternatives (e.g. TASERs) to control combative suspects.

304.03 Procedures

A. TASER Operation

1. Only personnel who have completed the department's TASER training program shall use the TASER. Deployment shall not be delegated to an employee not trained in its use. Personnel must show proficiency once every (12) twelve months.

B. Carrying the TASER

- Authorized personnel will carry the TASER on their duty belt in a department approved holster.
- 2. The TASER will be worn on the belt.
 - a. Police officers will carry the TASER opposite their sidearm.
 - b. Detention officers will carry the TASER on their weak hand side.
 - c. The TASER is deployed in a cross-draw fashion.
 - d. Each employee is responsible for care, maintenance, and inspection of their TASER.

C. Reporting Requirements

- Employees will comply with all reporting requirements related to display or use of the TASER.
- Accidental discharges of the TASER will be documented by a memo to the chief of police by the employee. A supervisor will document the incident as an Internal Investigation in Blue Team.

305.00 VEHICLE USE

305.01 Purpose

This policy establishes procedures, guidelines, and restrictions on the use of city vehicles.

305.02 Policy

This agency will operate vehicles in accordance with all applicable laws and City of Irving Civil Service Policies and Procedures. Each officer driving a police vehicle is instructed to use caution. In all cases, the speed of a police vehicle will not exceed that which is safe under prevailing conditions.

305.03 Definitions

Assigned vehicle: An assigned vehicle is one assigned to an employee who is subject to call-out or recall. It may be driven both on and off-duty to facilitate response.

Chargeable Violation: A chargeable violation involving the Automated Traffic Signal Enforcement system is a violation that, based upon the circumstances, the employee's chain of command determines the violator should have stopped at the red light.

Code 1 - Non-Emergency Call: Code 1 means a normal response, obeying all traffic laws and departmental driving regulations.

Code 3 - Emergency Response: Code 3 requires use of both emergency lights and siren.

Home storage or covert vehicle: A home storage or covert vehicle is a city-owned vehicle assigned to a particular employee for on-duty use only. The vehicle may be stored away from the department and driven to and from work, but otherwise not driven off-duty.

Non-Chargeable Violation: A non-chargeable violation involving the Automated Traffic Signal Enforcement system is a violation that, based upon the circumstances, the employee's chain of command determines that running of the red light was justified.

305.04 Vehicle Inspections

- A. All personnel will visually inspect on a daily basis any vehicle they are using. If possible the inspection should be completed prior to operating the vehicle.
 - 1. The inspection will include visual inspection of the following:
 - a. Tire wear (tread depth/damage) and inflation
 - b. Vehicle service sticker
 - c. Assigned equipment
 - d. Any other item(s) mandated by Standard Operating Procedures
 - 2. Any problems will be handled and reported in accordance with the proper divisional Standard Operating Procedures.

305.05 Authorized Emergency Response

- A. Any sworn police officer, or Emergency Management Staff member after satisfactorily completing a driver training course, may respond code 3 to calls for service that involve serious violence or calls in which the use of emergency response equipment may reduce the possibility of serious injury, continued violence; or
- B. When authorized by a supervisor.

305.06 Emergency Response Operation

A. Code 3 operation is a hazardous activity. Officers should anticipate confused reactions from other motorists and proceed with caution.

B. Authorization:

- 1. Officers responding to a call for service which fits the requirements of G.O. 305.05 will advise the dispatcher that they will be responding code 3. Dispatchers will notify the assigned operations supervisor of any units responding code 3 to a call.
- 2. A supervisor may request additional units be assigned code 3 or may reduce the level of response of any unit.
- 3. Supervisors may respond code 3 to any call for service or incident at which their presence is needed as soon as possible to take command. Supervisors are required to notify a dispatcher they are responding code 3.
- 4. The first officer to arrive at the scene of an emergency will, as soon as practical, evaluate the need for additional responding units to continue code 3 or reduce to code 1 and advise the dispatcher.
- C. Manner of operation while responding code 3:
 - 1. Police vehicles will have both the emergency warning lights and siren activated during the code 3 response.
 - 2. Speed must be reasonable and prudent. (Generally, speed should not exceed 20 mph above the posted speed limit.) Speed should be based on the existing conditions of weather, roads, other traffic, neighborhood, and type of emergency.
 - 3. When entering an intersection on a red light, stop sign, or other traffic control device, the officer will reduce the speed in anticipation of needing to yield or come to a stop.
 - 4. When entering a school zone during hours of enforcement, officers will reduce their speed to the posted school zone limit regardless of assignment.
 - 5. Emergency warning lights and siren may be used with extreme caution (with speeds not to exceed posted speed limits) during inclement weather that creates hazardous road conditions. (e.g., accumulation of rain, ice, snow, or poor visibility)
- D. Code 3 operation is prohibited in the following circumstances:
 - 1. Escorting private vehicles
 - 2. Transporting non-police personnel who have not signed a waiver of liability

305.07 Emergency Warning Light Usage - Non-Emergency

- A. Emergency warning lights may be used without the siren in the following situations:
 - Traffic stops
 - 2. Escorting houses or other large objects
 - Parades or VIP motorcade
 - 4. Other special events with supervisor approval
- B. Authorization to use emergency lights should not be interpreted as permission to disregard traffic signals and safety precautions.

305.08 Assigned, Home Storage, or Covert Vehicles

- A. A division commander may authorize personnel to have an Assigned, Home Storage, or Covert Vehicle based upon the needs of the division and the expectations of the community.
- B. Employees authorized the use of assigned, home storage, or covert vehicles must live within a twenty-five (25) mile radius of their assigned duty station or the Criminal Justice Center in order to store department vehicles at home. With the approval of the chief of police, employees who are assigned one of these vehicles and who live outside the 25 mile radius, may park the vehicle at a municipal, county, or state police agency that is within a 25 mile radius of their primary duty assignment. Employees authorized the use of assigned or home storage vehicles will complete the Take Home Vehicle Agreement.
 - 1. The Take Home Vehicle Agreement is on the J-Drive in the IPD Current Forms folder
 - 2. The completed Take Home Vehicle Agreement should be routed to the Professional Standards Section for filing.
- C. The employee is responsible for ensuring that all maintenance is performed on schedule.
- D. During prolonged absences from duty (one week or more), the vehicle will be stored at an Irving Police facility.
- E. When necessary to enhance response capabilities, assigned vehicles may be driven off duty within Dallas County and counties adjoining Dallas County.
- F. Employees who are assigned take-home vehicles, especially those with additional city equipment stored in them must take reasonable precautions to secure and safeguard all city property. When possible, employees will provide secure, off-street parking for take-home vehicles.
- G. City vehicles are not considered private property and may be searched at any time for any reason.
- H. Covert vehicles may be checked out only with the approval of a supervisor.
- I. Based on the needs of the department, the chief of police may make exceptions to this policy.

305.09 Off-Duty Operation of Assigned Vehicles

A. Officers are authorized to use assigned vehicles for personal use.

- B. Officers using an assigned vehicle shall not commit any act or omission which would reflect unfavorably upon the department or tend to cause the public to lose confidence in the department.
- C. The vehicle shall not be used for carrying heavy or bulky loads; no objects shall be allowed to protrude from the windows or trunk.
- D. Officers will have the following items readily available while operating the vehicle off-duty:
 - 1. Department approved weapon
 - Body armor
 - 3. Raid jacket
 - 4. Traffic vest
 - Handcuffs
 - 6. Flashlight

305.10 Passengers

- A. Non-police personnel may accompany officers as passengers when the vehicle is being operated off-duty. Because the officer is subject to recall to active duty at any time, discretion must be exercised in the transportation of civilian passengers. The officer should consider the following:
 - 1. The welfare and personal safety of the passenger
 - 2. The possibility of related liability
 - 3. The integrity of the passenger
- B. The safety of passengers rests solely with the officer operating the vehicle. The officer will leave passengers at a safe location before responding to potentially dangerous calls. If they cannot, officers may not respond.
- C. Officers may not transport passengers under the age of 18 unless they are immediate family members.
- D. Passengers should sign a Passenger Release Agreement before riding in the vehicle.
 - 1. The Passenger Release Agreement is on the J-Drive in the IPD Current Forms Folder.
 - 2. The completed waiver should be routed to the Professional Standards Section for filing.

305.11 Pool Vehicles

- A. The department utilizes a pool vehicle concept to effectively distribute vehicles to the employees who need them. The Property Room will maintain the pool vehicle keys and a control system to ensure accountability for pool vehicles.
- B. The Patrol Administrative Sergeant will conduct weekly inspections of pool vehicles to ensure compliance with this policy.

- C Vehicles will be checked out only for as long as needed. In no instance should a pool vehicle be checked out for more than a duty shift unless prior approval of a supervisor is obtained.
- D. Employees will contact the Property Room to request a pool vehicle.
- E. Employees will not request a specific vehicle unless a specific need exists for that vehicle and a supervisor concurs.
- F. Property assistants will check out the vehicle to the requesting officer and complete the vehicle log.
- G. When an employee is finished using the pool vehicle, the keys will be returned to the Property Room and noted on the vehicle log.
- H. Pool vehicles may be used for transportation to lunch while on-duty within the city limits of Irving.

305.12 Employee Responsibility When Using a Pool Vehicle

- A. The employee assigned to operate the vehicle is responsible for ensuring that the pool vehicle:
 - 1. Is clean and properly serviced
 - 2. Is properly parked at the station when turned in
 - 3. Has at least one-half (½) tank of gasoline
 - 4. Has any maintenance needs documented on the proper form and that the Property Room is notified
- B. The vehicle will not be left unsecured.

305.13 Cell Phone Use

- A. Use of cell phones when operating a city vehicle is prohibited by City of Irving Personnel Policies and Procedures.
 - 1. Exceptions:
 - a. When the use of the cell phone enhances the ability to respond to a public safety concern (e.g. calling a witness for additional information while en route to a call)
 - b. When radio communications have been compromised
 - c. When using a hands free device

305.14 Prohibited Practices

- A. No city vehicle will be driven by an employee on suspension.
- B. City vehicles shall not be driven to purchase alcohol or while consuming alcohol.
- C. Under no circumstances will a city vehicle be operated while the driver is intoxicated or not fit for duty.

305.15 Accidents or Vehicle Damage

A. Accidents or vehicle damage incidents will be handled in accordance with the General Order pertaining to department vehicle accidents. If outside the city, the appropriate jurisdiction will be contacted as well as the Irving Police watch commander.

305.16 On-Duty Use of a Private Vehicle

- A. No employee will use a privately owned vehicle to conduct department business without prior approval of their division commander.
- B. Police officers may drive privately owned vehicles involved in arrests, accidents, or other police functions when necessary.

305.17 Seat Belts

- A. All employees when riding in or operating a motor vehicle will properly utilize the safety belts.
- B. Police personnel operating any city vehicle will ensure that all occupants of the vehicle properly use the safety belts. This includes both police and non-police personnel, to include prisoners.
- C. Approved child safety seat systems will be used as prescribed by TX Transportation Code § 545.412. Patrol sergeants' vehicles will be equipped with approved child safety seats.
- D. Department vehicles will not be operated with an inoperable safety belt if it prevents any passenger from being properly secured.
- E. No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair technicians that shall do so only according to manufacturer guidelines and will ensure the safety belt and safety system is fully operational before returning the vehicle to service.
- F. Employees who discover an inoperable restraint system shall immediately report the defect to a supervisor. Prompt action will be taken to replace or repair the system.

305.18 Funeral Escorts

- A. Funeral escorts are typically not performed by Irving Police Department officers; however, the chief or a bureau chief may authorize them under unique circumstances. When approved, the following guidelines will be followed:
 - 1. Emergency warning lights will be used in compliance with the General Order pertaining to non-emergency warning light usage.
 - 2. "Leap-frogging" (the practice of the officer who is blocking an intersection at which the last car clears, going to the head of the procession to block the next intersection) will not be done. Officers will use the "Bump and Run" technique, in which the last officer relieves the next closest officer, who in turn relieves the one nearest him.
 - 3. Speeds will vary depending upon the type of escort, but 20-25 mph is proper for a funeral on residential or business streets. Fifty-five mph is proper for freeway escorts.

305.19 Automated Traffic Signal Enforcement

- A. Supervisors are responsible for investigating their subordinates automated traffic signal violations that occur within the scope of employment.
- B. The supervisor will determine which employee was operating the vehicle at the time and then interview the employee and/or conduct an investigation to determine the circumstances surrounding the violation.
- C. Based on information obtained during the interview, and subsequent investigation, the supervisor will recommend any disciplinary action that is warranted (chargeable) or will find that the circumstances surrounding the violation were reasonable (non-chargeable).
- D. If the employee is found to be chargeable for the violation, the supervisor will follow the guidelines for disciplinary action as outlined in section 500.00 of the General Orders.

305.20 CAD/MDC USAGE

- A. The Mobile Data Computer (MDC) is a part of the radio system using frequencies licensed by the FCC. Rules concerning proper radio procedures also apply to use of the MDC. Additionally, messages:
 - 1. Will not be personal in nature;
 - Will not contain derogatory references to other agencies; and
 - 3. Will not contain any text a reasonable person would find offensive.
- B. There is no expectation of privacy concerning sending or receiving messages via the CAD/MDC system.
- C. An officer's first priority is the safe operation of the police vehicle. For this reason, officers are required to stop at a secure parking location when extended MDC usage is expected (i.e. more than seven key strokes).

306.00 MARKED ASSIGNED VEHICLE PROGRAM

306.01 Purpose

This policy establishes procedures, guidelines, and restrictions on the use of marked assigned vehicles for police personnel.

306.02 Policy

This agency will enhance public safety by providing for increased officer visibility and maximize the perception of officer presence by providing officers who live in the City of Irving with a take-home marked vehicle.

306.03 Definitions

Marked assigned vehicle: A marked assigned vehicle is a fully marked and equipped squad assigned to an officer who lives in the City of Irving which may be driven both on and off-duty. Officers are expected to store the vehicle at their residence.

306.04 Vehicle Assignment

- A. Police officers assigned to the Patrol Division, Community Services Division, and the Crime Scene Section who reside in the City of Irving are eligible for a marked assigned vehicle based on the following criteria.
 - 1. Availability of vehicles When the number of vehicles is fewer than demand, the following factors will be considered in assigning the vehicles:
 - a. Duty shift
 - b. Seniority
 - c. Recommendation of officer's chain of command
 - 2. The best interest of the department
- B. The following criteria may be used to exclude officers from participation in the program:
 - 1. Suspension of driving privileges
 - 2. Officers who have an overall score of "Needs Improvement" on their departmental evaluation

306.05 Compliance with City and Departmental Policies

- A. Except as noted in this General Order, officers will comply with the City of Irving Civil Service Policies on Vehicle Use, and Irving Police Department General Order pertaining to Vehicle Use. Employees authorized the use of a marked assigned vehicle will complete the Take Home Vehicle Agreement.
 - 1. The Take Home Vehicle Agreement is on the J-Drive in the IPD Current Forms folder
 - 2. The completed Take Home Vehicle Agreement should be routed to the Professional

306.06 Off-Duty Operation of Marked Assigned Vehicles

- A. Officers are authorized to use marked assigned vehicles for personal use within the City of Irving.
- B. Officers using a marked assigned vehicle shall not commit any act or omission which would reflect unfavorably upon the department or tend to cause the public to lose confidence in the department.
- C. An officer operating a vehicle off-duty shall wear appropriate attire so as to reflect favorably upon the department. The officer is responsible for the conduct and personal appearance of passengers who shall meet the same dress standards.
- D. The vehicle shall not be used for carrying heavy or bulky loads; no objects shall be allowed to protrude from the windows or trunk.
- E. Off-duty officers shall monitor the primary radio channel.
- F. Officers will have the following items readily available while operating the vehicle off-duty:
 - 1. Department approved weapon
 - 2. Body armor
 - Raid jacket
 - 4. Traffic vest
 - 5. Handcuffs
 - 6. Flashlight

306.07 Passengers

- A. Non-police personnel may accompany officers as passengers when the vehicle is being operated off-duty. Because the officer is subject to recall to active duty at any time, discretion must be exercised in the transportation of civilian passengers. The officer should consider the following:
 - 1. The welfare and personal safety of the passenger
 - 2. The possibility of related liability
 - 3. The integrity of the passenger
- B. The safety of passengers rests solely with the officer operating the vehicle. The officer will leave passengers at a safe location before responding to potentially dangerous calls. If they cannot, officers may not respond.
- C. Officers may not transport passengers under the age of 18 unless they are immediate family members.
- D. Passengers should sign a Passenger Release Agreement before riding in the vehicle.
 - 1. The Passenger Release Agreement is on the J-Drive in the IPD Current Forms Folder.

2. The completed Passenger Release Agreement should be routed to the Professional Standards Section for filing.

306.08 Restricted Duty, Sick, or Injury Leave

- A. Officers on restricted duty, sick, or injury leave who cannot perform police functions will not drive assigned marked vehicles.
- B. Officers on extended leave (one week or more) will park the assigned vehicle at the designated police facility.

306.09 Alterations or Decorative Features

- A. The following items are prohibited without written authorization of the chief of police.
 - 1. Mechanical or electrical alterations
 - 2. Any decorative element or other feature which adds to, detracts from, or otherwise changes the appearance of the police vehicle, such as:
 - a. bumper stickers
 - b. decals
 - c. signs
 - d. antenna decorations
 - e. wreaths
 - f. reflectors

307.00 PURSUIT DRIVING

307.01 Purpose

This policy establishes guidelines for vehicle pursuits.

307.02 Policy

Officers making the decision to engage in pursuits must carefully consider the risk factors involved, possible consequences, and the safety of citizens and officers.

307.03 Definitions

Authorized Emergency Vehicle: A vehicle of this agency equipped with operable emergency equipment as designated by state law

Code 1: Driving in compliance with all traffic laws and without emergency lights and siren

Code 3: Driving while operating emergency lights and siren

Primary Unit: The police unit that initiates a pursuit or any unit that assumes control of the pursuit

Secondary Unit: Any police vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance

Supervisory Unit: The supervisor monitoring, directing, or participating in the pursuit

Tire Deflation Device (TDD): A department approved device that is intended to deflate the tires of a fleeing vehicle in order to safely end vehicular pursuits, while placing paramount importance on the safety of the officers, the public and the suspects.

Tire Deflation Device Deployment Zones: Areas along roadways within the city where the utilization of the Tire Deflation Devices presents a reduced risk to deploying officers. These zones must provide permanent barriers that offer considerable protection such as roadway structures, overpass pylons, guard rails, etc.

Vehicle Pursuit: An attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police in a vehicle.

307.04 Pursuit Decision Matrix

A. Decision Making Guide

- 1. Officers shall be familiar with and use the list of pursuit risks and the pursuit decision matrix as a guide in determining whether or not to initiate or continue a pursuit.
- The listed pursuit risks do not represent every possible risk that an officer should weigh in determining whether a pursuit should be discontinued. Officers should use discretion when initiating or continuing a pursuit and balance the need to immediately apprehend the suspect against the risk to public safety. Between these two interests, the safety of the public safety will always remain uppermost in deciding whether to continue the pursuit. Vehicle pursuits are not always predictable and decisions made pursuant to this policy shall be evaluated according to the totality of the circumstances reasonably known at the time of the pursuit.

B. Pursuit Risks

- 1. Officers and supervisors involved in a vehicle pursuit are required to continuously evaluate the need to immediately apprehend the suspect against the risks created by continuing the pursuit.
- 2. A vehicle pursuit shall be terminated if the danger created by the pursuit exceeds the danger posed by allowing the suspect to escape.
- 3. The degrees of risk associated with vehicle pursuits in are defined as follows:
 - a. Low Risk
 - i. Marked vehicles
 - ii. No hazardous maneuvers by violator
 - iii. Officer calm and in control
 - iv. Reasonable speed and prudent under prevailing conditions
 - v. Good weather
 - vi. Few or no pedestrians
 - vii. Straight roads, good surfaces, clear line of sight (e.g. freeways)
 - viii. Few Intersections
 - b. Moderate Risk
 - i. Leaves the city limits
 - ii. Officer generally calm, under control
 - iii. Mildly hazardous, but not extreme maneuvers
 - iv. Light pedestrian traffic
 - v. Moderate traffic, little congestion
 - c. High Risk
 - Extremely hazardous maneuvers by the violator (e.g. driving against oncoming traffic, failing to stop at red lights or stop signs)
 - ii. Hazardous cargo
 - iii. Officer overly excited
 - iv. Poor weather, slippery streets, low visibility
 - v. Heavy traffic
 - vi. Excessive speed for prevailing conditions
 - vii. Disruption of communication
 - viii. Frequent intersecting streets (e.g. a business or residential district)
 - ix. Blind curves or intersections, narrow streets
 - x. Numerous pedestrians
 - xi. Existence of special circumstances (i.e. school zones, hospitals, construction zones)
- 4. Additional factors to consider in deciding whether or not to continue a vehicle pursuit:
 - a. Innocent passengers/children in (or on) the suspect vehicle
 - b. Air support/ law enforcement helicopter has joined the pursuit

C. Pursuit Decision Matrix

Nature of Offense	Low Risk	Moderate Risk	High Risk
Violent Felony Crimes	May Pursue Continue to Assess Risk	May Pursue Continue to Assess Risk	May Pursue Discontinue if Risks Exceed Known Threat to Public Safety if Capture is Delayed
Felony -	May Pursue	May Pursue	Discontinue
Nonviolent	Continue to	Continue to	<u>OR</u>
Crimes & DWI	Assess Risk	Assess Risk	Do Not Pursue
Misdemeanors	May Pursue	Discontinue	Discontinue
& Traffic	Continue to	<u>OR</u>	<u>OR</u>
Violations	Assess Risk	Do Not Pursue	Do Not Pursue

307.05 Primary Unit Responsibilities

- A. The primary unit must be an authorized emergency vehicle with fully operable emergency lights and siren. Pursuing units will operate at Code 3 only.
- B. The primary unit will notify the dispatcher of the following:
 - 1. Reason for the pursuit and nature of the violation
 - 2. Location and direction of the pursuit
 - 3. Description of the occupants and vehicle
 - 4. When entering another jurisdiction
- C. Officers and supervisors who pursue vehicles must justify in the Vehicle Pursuit incident in Blue Team their decision to pursue, as well as their decision to continue pursuing, the vehicle. Circumstances, distance, and time of pursuits will be reviewed by the chain of command and the Office of the Chief of Police.
 - 1. The officer that initiates the pursuit will be responsible for completing the Vehicle Pursuit incident in Blue Team and forwarding to their supervisor for the review process.
- D. If the suspect is known, the pursuit will be discontinued unless the suspect is involved in a violent felony with an imminent threat to public safety.
- E. Unless otherwise directed by a supervisor, no more than two (2) patrol units and one (1) supervisory unit will be involved in any pursuit. This includes units from other jurisdictions who are assisting or being assisted.

307.06 Secondary Unit Responsibilities

- A. The secondary unit will make visual contact with the primary unit as soon as practical, assume responsibility for radio communications, (if the primary unit is a one-officer unit), and provide assistance to the primary unit, as needed.
- B. Available units not involved in the pursuit will monitor radio traffic and, if safe and practical, stop cross traffic at major intersections to allow a clear path of travel for the pursuit. Non-assigned units will not become directly involved in the pursuit.

307.07 Dispatcher Responsibilities

- A. The dispatcher will close the channel for normal radio traffic. The channel will be used only for the units assigned to the pursuit. The dispatcher will maintain radio discipline, accurately record the information provided by the pursuing units and relay it to appropriate personnel, including but not limited to:
 - Watch commander
 - 2. NCIC operators
 - 3. Non-pursuit units
 - Other jurisdictions
- B. The dispatcher should also relay information on stolen vehicle(s), offenses committed by the vehicle occupants, and outstanding warrants, if known.
- C. In addition, the Communications Section will relay to other jurisdictions the following:
 - Notification the pursuit is about to enter their jurisdiction
 - 2. Location and direction of the pursuit
 - 3. Reason for the pursuit and nature of violation
 - 4. Description of occupants and vehicle
 - 5. Number of units involved in the pursuit
 - 6. Whether or not assistance is needed
 - 7. When the pursuit is leaving their jurisdiction or location of termination

307.08 Pursuit Termination

- A. Every unit involved in a pursuit will follow the Pursuit Decision Matrix in terminating the pursuit. In addition, the pursuit will be terminated when any of the following occurs:
 - 1. The pursuit is terminated by the primary, secondary officer, or a supervisor
 - 2. When radio discipline is not maintained and the pursuit units are unable to communicate effectively with the pursuit supervisor and/or the primary dispatcher
 - If visual contact is lost other than momentarily.

- B. When the pursuit is terminated:
 - 1. The terminating officer or supervisor will inform the primary dispatcher, who will notify other units or agencies involved of the decision to terminate
 - 2. All units will immediately cease the pursuit and reduce to Code 1 as soon as practical to allow for the orderly flow of traffic.
 - 3. If the pursuit is terminated due to communications breakdown, the supervisor will initiate an investigation cooperating with other divisions and agencies, as necessary.
 - 4. An offense report will be completed listing all known information about the vehicle, the suspect, and circumstances involved in the pursuit.
- C. Officers deciding to terminate a pursuit because the danger to the public and/or other officers outweighs the need to immediately apprehend the offender will not be criticized or disciplined.

307.09 Supervisor's Responsibilities

- A. The controlling supervisor will monitor the radio traffic of the pursuit and assume control by giving directions deemed necessary to implement this policy, make visual contact with the pursuit if possible, assume control of the pursuit, and make decisions about continuing or terminating the pursuit based upon their knowledge or a recommendation from the involved units.
- B. After the conclusion of a pursuit, the supervisor will discuss the pursuit with the involved officers and review the pursuit with the entire shift, including Communications personnel if available.
- C. If deemed necessary, will cause all vehicles involved in a pursuit to be taken to the City Shop for inspection and/or repairs.
- D. The controlling supervisor will ensure officers initiating pursuits that terminate due to an arrest will, if needed, provide for arraignment of arrested persons, provide disposition of any passenger(s), provide for the disposition of the pursued vehicle, and coordinate all reports, citations, and criminal charges. As a matter of professional courtesy, when a supervisor from the agency where the pursuit terminated responds to the location of termination, they will be informed of pertinent information regarding the pursuit.
- E. The chain of command will review each pursuit and determine if it was within policy. Non-conforming behaviors, minor policy violations, and remedial actions shall be noted in the Blue Team comments, and a separate Incident Review will be completed in Blue Team to document these incidences. Significant or repeated policy violations are addressed through the disciplinary process.
- F. Circumstances, distance, and time of pursuits will be reviewed by the chain of command and the Office of the Chief of Police.

307.10 Prohibited Practices

- A. Only police vehicles equipped with operable emergency lights and siren will participate in a pursuit.
- B. Vehicles without roof mounted emergency light systems will immediately notify the dispatcher and will discontinue the pursuit when marked vehicles, primary and secondary, take up the pursuit.

- C. Officers in pursuit will not intentionally bump, ram, force a vehicle from the roadway, or use a vehicle as a barricade to terminate the pursuit unless deadly force is authorized and the action can be accomplished without injury to third parties.
- D. Officers in pursuit will not shoot at the suspect vehicle, unless deadly force is authorized.
- E. Officers will not pursue vehicles the wrong way on a freeway, divided roadway, or one-way street, but may continue pursuing with the flow of traffic on an adjacent roadway.
- F. Officers' vehicles transporting prisoners, witnesses, suspects, or complainants will not engage in pursuits.
- G. The controlling supervisor will not be involved in the pursuit as either the primary or secondary unit.

307.11 Tire Deflation Devices (Spike Strips)

A. The purpose of tire deflation devices (TDDs) is to safely end vehicle pursuits.

307.12 Deploying Officer's Responsibilities

- A. The use of TDDs presents an increased risk of injury to deploying officers. Extreme caution should be used during their deployment.
- B. Only personnel who have completed an authorized training course for the deployment of TDDs are permitted to deploy the devices.
- C. Officers will not deploy TDDs under conditions or in situations where they feel the deployment is unsafe.
- D. Officers will only deploy TDDs from locations that comply with Tire Deflation Device Deployment Zone requirements.
- E. Vehicles, including patrol cars, are never to be used as concealment or protection.
- F. TDDs will only be used with supervisory approval.
- G. TDDs will not be deployed when fleeing suspects have demonstrated a clear intent to injure officers using the fleeing vehicle or other deadly weapons.
- H. Pursuing officers will communicate all necessary information to identify the target vehicle to the deploying officers.
- I. As directed by a supervisor, officer(s) are authorized to run code 3 to establish position for deployment.
- J. Deploying officers will not overtake a fleeing vehicle in an attempt to place a TDD in the roadway.
- K. The deploying officer shall be in position to allow sufficient time for proper deployment and will advise pursuing units of the deployment.
- L. The deploying officer shall advise the pursuing unit(s) and Communications of the location of the deployment.
- M. The pursuing units will slow sufficiently prior to reaching the deployment location to allow the deploying officer time to retrieve the TDD before passing through.

- N. The TDDs should only be removed when it is clear and safe to do so. No officer shall enter into the immediate pathway of a vehicle in an attempt to deploy or retrieve the TDDs.
- O. If the TDD has not been removed from the roadway, pursuing officers are to continue driving over the system and should not attempt to swerve or come to an abrupt stop.
- P. If possible, one or more pursuit vehicles should be on the post-impact side of the TDD to continue the pursuit, should the suspect vehicle continue to flee.
- Q. TDDs will not be used to stop motorcycles, all-terrain vehicles (ATV's), or vehicles that are transporting hazardous materials unless deadly force is justified.

307.13 Supervisor's Responsibilities

- A. Prior to granting authorization for the deployment of TDDs, the controlling supervisor will consider the following factors:
 - 1. The safety of the public, the involved officers, and the fleeing suspect(s)
 - 2. Traffic volume
 - Road and weather conditions
 - 4. Time of day
- B. The controlling supervisor will direct the necessary resources to positions of advantage to accomplish the deployment of TDDs.
- C. If a pursuit involving fleeing suspects who have demonstrated a clear intent to injure officers continues into an adjoining jurisdiction, the controlling supervisor will ensure any personnel from the affected outside agencies are notified of the increased officer safety risk posed by these suspects.

307.14 Utilizing TDDs to Assist Outside Agencies

- A. The use of a tire deflation device to stop a vehicle being pursued by an outside agency will only be authorized under the following conditions:
 - 1. The deployment is approved by an Irving Police Department supervisor;
 - 2. The use of the device would fall within the guidelines of a pursuit initiated by the Irving Police Department; and,
 - 3. The pursuing agency has been made aware of the deployment to prevent damage to their vehicles.

307.15 Care and Maintenance of Tire Deflation Devices

- A. Prior to beginning each tour of duty, trained officers will determine if their squad is equipped with a TDD.
- B. If the vehicle is equipped with a TDD, the officer shall do a brief inspection of the unit to verify that it is in proper working order.

C. After use of the TDDs, the deploying officer will inspect the unit for damage and replace missing spikes or ensure the device is replaced.

307.16 Annual Review of Critiques

- A. All Vehicle Pursuit incidents are reviewed annually by the Pursuit Review Board to ensure compliance with policy and to identify areas for improvement or training.
- B. The board will submit a written report outlining their conclusions to the Field Operations Bureau Chief, with a copy to the chief of police. This report will include, but not be limited to:
 - 1. Trends or patterns revealed by this review
 - 2. Number of pursuits by watch
 - 3. Number of pursuits resulting in arrest
 - 4. Number of pursuits terminated prior to arrest
 - 5. Number of pursuits terminated by supervisor
 - 6. Number of pursuits terminated by officers
 - 7. Number of pursuits involving accidents
 - 8. Number of pursuits resulting in injury
 - 9. Number of civilians injured/severity
 - 10. Number of officers injured/severity
 - 11. Recommendations for improvements in pursuit training or policy
 - 12. Recommendations regarding prevention of pursuit injuries
 - 13. Other recommendations or comments determined necessary by the panel
- C. This board will convene as soon as practical after the last day of the calendar year and meet at the discretion of the chairperson. The final report of this board will be due within forty-five (45) calendar days from the date of the first meeting.
- D. The final report of this board will be available for review by members of the department.

308.00 MOTOR VEHICLE ACCIDENTS/DAMAGED DEPARTMENTAL VEHICLE

308.01 Purpose

This policy provides employees with guidelines for reporting motor vehicle damage incidents or accidents.

308.02 Policy

Employees shall safely operate all vehicles used in the scope of employment in accordance with applicable laws and policies.

308.03 Definitions

Accident: A motor vehicle collision resulting in injury or total property damage in excess of \$1,000.00.

Incident: A motor vehicle accident resulting in no injuries and with total property damage between \$0 and \$1000 (as estimated by a reputable repair shop or Fleet Services).

Non-preventable: An accident/incident that occurs when an employee operates a vehicle within the law and department policy, and the responsibility for the damage caused rests with person(s) or object(s) other than the employee.

Preventable: An accident/incident is preventable when an employee either negligently operated a vehicle without conscious regard to the circumstances that contributed to the accident, and/or otherwise exhibited a lack of care and diligence in the safe operation of the vehicle.

308.04 Motor Vehicle Incidents & Accidents

- A. All motor vehicle incidents and accidents involving city vehicles or privately-owned vehicles used for city business are investigated.
 - 1. When an incident occurs:
 - a. The involved employee will immediately notify an on-duty supervisor.
 - b. A field supervisor will respond to the scene and document all resulting damage. The field supervisor will photograph and log the police vehicle damage in the division vehicle damage log on the J Drive, if it is determined that the damage will not be repaired.
 - c. The involved employee will complete the Vehicle Accident incident in Blue Team explaining how the incident or accident occurred and forward it to the investigating supervisor.
 - d. The investigating supervisor will make their comments in the Blue Team entry with a supported recommendation of "preventable" or "non-preventable."
 - e. The Vehicle Incident Report Form will be completed (reflecting the officer's version of the incident) and faxed or e-mailed to Risk Management.
 - When an accident occurs:
 - a. The involved employee will immediately notify an on-duty supervisor.

- b. An on-duty field supervisor will respond to the scene and investigate non-injury accidents. If the accident involves injury and the responding supervisor has advanced accident investigation training, then that supervisor will investigate the accident. If not, the responding supervisor will ensure that a supervisor or officer with advanced accident investigation training investigates the accident.
- c. Regardless of injuries, the on-duty watch commander may assign a supervisor or officer with advanced accident investigation training to investigate an accident depending on the severity or complexity of the crash.
- d. All applicable City and State accident forms will be completed by the investigating officer / supervisor. The Vehicle Incident Report will reflect the officer's version of the accident. The damage will be logged into the vehicle damage log, if it is determined that the damage will not be repaired.
- e. The scene supervisor will include witness statements in their Blue Team comments and will include a supported recommendation of "preventable" or "non-preventable".
- f. The forms, along with the officer's departmental driving history, will be forwarded through the employee's chain of command in Blue Team within 24 hours.
- B. All departmental vehicle incidents and accidents will be forwarded to the Safety Review Board for review and recommendations. The Board will have the ultimate responsibility of determining whether the incident/accident was preventable or non-preventable and what, if any, driver training is necessary.
- C. When the Vehicle Incident Report form is used, the City of Irving's Risk Manager will be notified of the circumstances within 24 hours. The form will be forwarded to Risk Management via e-mail or fax.
- D. Damage to property resulting from intentional acts (e.g. damage caused by use of push-bumper) is not generally considered an accident or incident under this policy. However, an intentional act cannot be used to avoid the consequences of this policy if the intentional act coincides with secondary acts or omissions that result in property damage that otherwise would not have occurred.

308.05 Damaged Department Vehicle

- A. Officers are responsible for inspecting vehicles assigned to them. An officer will immediately report any new damage observed on a vehicle before placing the vehicle into operation.
- B. Responsibilities of sergeants
 - 1. When new damage is discovered / reported the sergeant will:
 - a. Investigate and determine operator, cause, and time damage occurred.
 - If the operator of the vehicle is assigned to another supervisor when damage occurred, the investigating supervisor will forward, in writing, the circumstances to that supervisor for further investigation and completion of necessary reports.
 - b. Follow guidelines stated in General Order 308.00 and complete appropriate reports required by General Orders or S.O.P.'s and forward through chain of command to the chief of police within 24 hours.

- c. Record new damage in the vehicle damage log, if it is determined that the damage will not be repaired.
- d. If the damage is very minor (i.e., small dings or scratches) and its origin is unknown, or the operator cannot be determined, log the damage into the vehicle damage log.

308.06 Discipline

- A. If the Safety Review Board determines that the incident or accident was preventable, the investigation and findings will be forwarded to the employee's immediate supervisor.
- B. The supervisor will document the disciplinary action taken on the Blue Team incident and the appropriate form(s), which will be forwarded through the chain of command. The employee's chain of command will determine the appropriate discipline.
- C. Supervisors will base their recommendations for discipline on the degree of employee negligence, the severity of the accident or incident, the employee's overall department driving history, the comparative fault of other involved parties, and any factors contributing to or mitigating the employee's responsibility for an individual incident/accident.
- D. Employees may appeal "preventable" decisions within five (5) days of receipt of the Board's findings to the chief of police. This shall be done via memo through the chain of command.
- E. The suspension of driving privileges will be consistent with City of Irving Personnel Policies, and is not disciplinary.

308.07 Driver Training

- A. The Safety Review Board will make the final decision regarding the type of driver training that would be most beneficial.
- B. The Smith, NAPD, or similar driver training school will be mandatory for employees that are involved in two (2) preventable accidents within a twelve (12) month period.

308.08 Damage Estimates

A. All damaged vehicles will be taken for a damage estimate as soon as possible. [Exception: damage listed in 308.05 (B) (1) (d).]

309.00 ADULT ARREST POLICIES

309.01 Purpose

This policy provides officers with guidelines governing adult arrests.

309.02 Policy

This agency will make arrests in accordance with the authority granted by the Code of Criminal Procedure.

309.03 Authority to Arrest

- A. Peace officers are given statutory arrest authority as defined in the Code of Criminal Procedure.
- B. Class C Misdemeanor
 - Officers may issue a citation for some Class C misdemeanor offenses in lieu of making an arrest.
 - 2. Officers shall refer to the General Order pertaining to Citations and Division SOPs for specific Class C enforcement guidelines.

C. Traffic Offenses

- In most cases traffic violators will be issued a citation and released at the scene.
- Exceptions:
 - a. Officers may arrest a violator who has no proof of identification and the officer is unable to confirm their identity. In this circumstance a supervisor will be notified of the arrest.
 - b. When the violator's identity is not in question, officers must obtain supervisor approval before arresting a violator for traffic offenses.
 - i. The approving supervisor will ensure that the circumstances of the arrest are properly detailed in either the arresting officer's report or in a supplemental report by the supervisor. The documentation will be completed prior to the end of the supervisor's shift.
 - ii. The approving supervisor will ensure that written notice of the arrest details are sent to each supervisor in the chain of command, through the bureau chief, prior to the end of the supervisor's shift.

309.04 Arrest Warrants

- A. Officers executing warrants will verify or confirm that the warrant:
 - 1. Is still outstanding
 - Names or provides a reasonably definite description of the person to be arrested
 - Accuses the person of some offense against the laws of the State, naming the offense

- 4. Is signed by the magistrate, and their office is named in the body of the warrant, or in connection with their signature. (This step is not needed on a warrant confirmed through TCIC/NCIC.)
- B. Officers with questions about the validity of the warrant will verify the information before making an arrest based on the warrant.
- C. General procedures in executing an arrest warrant
 - 1. Officers are not required to have physical possession of an arrest warrant in order to execute it. However, before executing a warrant, the officer will determine that the warrant is still outstanding, the warrant number, and will ensure that a copy of the warrant is shown upon request to the defendant as soon as possible.
 - 2. When executing the warrant, the officer will tell the defendant that the arrest is made pursuant to a warrant.
 - 3. If the officer does not have the warrant in his or her possession at the time of arrest, they will inform the defendant of the offense charges and of the fact that a warrant has been issued.

309.05 Forced Entries

- A. The forced entry into premises is governed by the following.
 - 1. Forced entry of premises may be made to arrest a felony or misdemeanor suspect (with or without a warrant) when the officer is in immediate hot pursuit of the suspect, and delay is likely to result in increased danger to the officer or third persons.
 - 2. Forced entry of premises may be made of the suspect's residence when the officer has a search warrant or felony arrest warrant for the suspect.
 - 3. The entry of a third party's premises without consent must be with a search warrant in addition to an arrest warrant unless there are exigent circumstances.
- B. No forced entry of premises for misdemeanor offenders is authorized unless hot pursuit or exigent circumstances exist.
- C. Supervisor's approval is required prior to forced entry unless exigent circumstances exist. If circumstances do not allow for prior approval, the supervisor shall be notified as soon as practicable.
- D. Absent exigent circumstances, officers are prohibited from making forced entry unless otherwise authorized in this policy.

309.06 Miranda Warning

- A. Miranda warnings will be given to any person who is:
 - 1. In custody (not free to leave); and
 - 2. Being interrogated (asked questions intended to elicit an incriminating response).

309.07 Magistrates Warning

- A. Persons arrested and incarcerated in the Irving Jail will be taken before a magistrate per Technical Services Division-Jail Section SOP.
- B. Officers who go out of Dallas County to affect an arrest will take the person arrested before a magistrate as prescribed by the Code of Criminal Procedure.

309.08 Prisoner Searches

- A. The arresting officer is responsible for the initial search of a prisoner at the time of arrest. The transporting officer is also responsible for searching transported prisoners and will be held accountable for any prisoner arriving at the jail facility with a weapon or contraband.
 - 1. An officer may frisk a prisoner of the opposite gender to recover weapons or evidence that might otherwise be destroyed. Ordinarily, thorough searches of opposite-gender prisoners will be conducted by officers or jail personnel of the same gender as the prisoner, if available and if any resulting delay will not compromise officer safety. Searches of opposite-gender prisoners shall be conducted in front of the in-car video camera when possible.
 - 2. Purses, luggage, and coats of prisoners will be searched by the arresting officer.
 - 3. Officers accepting prisoners from other officers will search the prisoners before accepting custody and are responsible for removing weapons and contraband from them.
 - 4. If a prisoner has not been searched before being turned over to another person, the officer will notify the person that no search has been done.
 - 5. Strip searches are not routine and require approval of the jail supervisor or any sworn supervisor. Strip searches will be conducted in accordance with Technical Services Division-Jail Section SOP.
 - 6. Any search requiring the removal of undergarments or that is contrary to ordinary standards of modesty is expressly prohibited in the field.

309.09 Transportation and Handling of Prisoners

- A. An officer will not handle another police incident while transporting a prisoner unless the incident is an emergency.
- B. No juvenile will be detained in or committed to a compartment of a jail or lockup in which adults arrested for, charged with, or convicted of a crime, are detained or committed, nor will they be permitted contact with such persons. This includes transporting juveniles and adults, unless the juvenile and adult are related.
- C. Officers will thoroughly search the vehicle used to transport a prisoner for weapons and contraband immediately before and after transporting a prisoner.
- D. Prisoners will be restrained with department-approved handcuffs/restraints unless approved by a supervisor.
- E. If a prisoner has a disability that would prevent them from being transported in a police vehicle under ordinary protocol, a supervisor will decide the best way to transport the prisoner.

309.10 Book-in Procedures for Adults

A. All adult prisoners, except for seriously injured or ill persons or APOWW arrestees, will be transported to the Irving Jail without delay.

Exception: If circumstances warrant immediate interview of an arrestee, they may be transported directly to the Criminal Investigation Division without being processed through the jail. If this is necessary, the following are required:

- 1. The jail supervisor will be notified of:
 - a. The name of the defendant
 - b. Where the interview is taking place
 - c. Outline of probable cause for arrest, offense, and any warrant number
- Injured prisoners will be booked into the jail and receive medical attention prior to any interview.
- B. Prior to releasing a prisoner to jail personnel, the officer will:
 - 1. Remain in control of the arrestee. The detention officer will search the arrestee before taking custody.
 - 2. Search all of the prisoner's property, including any bag, purse, luggage, etc.
 - a. Officers will place all required medication and valuables, including but not limited to, money, jewelry, keys to vehicles, and cell phones if applicable, in an unsealed plastic property bag.
 - b. All other property belonging to the prisoner, depending on its size, will be placed in a second plastic property bag or trash bag and either heat-sealed or secured with tape.
 - c. The prisoner's property, separated and sealed accordingly, will be given to the detention officer when the prisoner is brought into the safety vestibule.
 - d. The prisoner will not be in control of these items at any time while in the secured area of the jail. The detention personnel will not open the sealed property bag, unless it is necessary to an investigation.
 - e. Prisoners arrested for Class C charges only and whose property cannot reasonably be submitted to the jail property system will have their excess property stored in the police Property Room.
 - f. Weapons or contraband seized by the officer, which are illegal or evidentiary in nature, will not be included in the prisoner's property.
 - g. Firearms will not be brought into the jail area.
 - 3. The jail supervisor will approve the intake. The approval is based on the charges listed on the arrest report. A patrol supervisor will approve the legality of the charges.
- C. The jail supervisor is responsible for booking and detaining prisoners. If the jail supervisor does not approve the booking of an arrested person, the arresting officer will remove the person from the jail area and contact the watch commander.

D. A patrol supervisor will review the probable cause for arrest and approve the arrest reports on a regular basis.

309.11 Injured or III Prisoners

- A. Seriously injured or ill prisoners will, upon arrest, be taken directly to Parkland Hospital prior to being taken to the Irving Jail.
 - 1. Officers will notify their immediate supervisor for approval.
 - 2. Officers will not transport any prisoner whose injury or illness is life threatening or whose injury or illness could be aggravated. An Irving Fire Department ambulance will be used to transport such prisoners.
- B. If any officer has a reasonable belief that a person has swallowed any potentially harmful substance (e.g., narcotics), the officer will ensure the person is examined by members of the Irving Fire Department for a medical evaluation and transported via ambulance to the hospital.
- C. When a prisoner is brought to jail from Parkland Hospital, the transporting officer will ensure that a First Aid Record and Referral Form is completed and returned to the jail supervisor.
- D. If a prisoner is admitted to the hospital, the arresting/transporting officer will give the jail supervisor all booking information and complete a First Aid Record and Referral Form.
 - 1. The watch commander will decide whether or not to release the prisoner at the hospital and file the case at large.
- E. Prisoner injuries (confirmed or alleged) sustained while in custody or caused by an employee must be documented in Blue Team.
- F. The watch commander will be notified of a prisoner with an unaddressed serious/chronic medical issue. The watch commander will ensure that a plan of action is in place for those prisoners per Technical Services Standard Operating Procedures.

310.00 JUVENILE ARREST POLICIES

310.01 **Purpose**

This policy provides officers with guidelines governing the arrest of juveniles.

310.02 Policy

The decision to arrest and pursue criminal charges of juveniles will first consider the safety of the community at large and, secondly, the best interest of preserving the child's potential for development and success.

310.03 Definitions

Child: As defined in 51.02(B)2 of the Family Code, a child is a person who is ten (10) years of age or older and under seventeen (17) years of age. For purposes of this General Order, the term "child" and "juvenile" have the same meaning. (Note: age is determined by the person's age at the time the offense was committed, i.e., if a person commits an offense when they are sixteen years old and are arrested for the offense after they turn seventeen years old, the person will be handled as a juvenile). (See G.O. 310.21)

CINS: (Conduct Indicating a Need for Supervision) The classification used when juveniles, ages 10 through 16 years old, commit an offense (other than traffic offense) as indicated:

- a. A class C misdemeanor, except for traffic offenses.
- b. Violation of a city ordinance.
- c. Runaway

Delinquent Conduct: The classification used when juveniles, ages 10 through 16 years old, are arrested for a penal law of this state punishable by imprisonment or by confinement in jail (class B misdemeanor and above).

Dependent Child: A dependent child is a child under the age of ten (10) years. Dependent children cannot be held criminally responsible for any violation of Texas laws. Therefore, a child under ten (10) years of age cannot be "arrested." A dependent child detained for a violation will be handled in accordance with this policy.

Designated Juvenile Processing Office: Areas designated by the Dallas County Juvenile Board for the detention of arrested juveniles. In the Community Services Division, the intake lobby, Youth Services office and the school resource officer office, the report writing rooms at the North and South police stations, and in CID, the interview line-up room.

Jail Detention Area: The area of the jail designated for the detention and taking of fingerprints and photographs of juveniles for class B misdemeanors and above.

School Offense: An offense committed by a child enrolled in a public school that is a class C misdemeanor other than a traffic offense and is committed on a property that is under the control and jurisdiction of a school district, including school buses.

310.04 Taking into Custody

- A. A child may be taken into custody by a law enforcement officer if there is probable cause to believe that the child has engaged in delinquent conduct or conduct indicating a need for supervision:
 - 1. Pursuant to an order of the juvenile court; or
 - Pursuant to the laws of arrest

310.05 Field Release

- A. A child taken into custody on all class B misdemeanors and above arrests will normally be brought to the station, fingerprinted on the Live Scan fingerprinting machine and photographed on the Photo Capture Station by detention personnel (fingerprinting and photographing is done by jail personnel only). The officer may then transport the child to a location approved by a supervisor. This provision may be waived under the following guidelines:
- B. If in the watch commander's opinion, the safety or welfare of the child will be impacted by going through the jail, the child will be released in the field if:
 - A parent, guardian or other responsible person will be responsible for safeguarding the child.
 - 2. The officer will note in the report the person taking responsibility for the child along with the date and time of the release.
 - 3. The person taking custody of a child who has not been processed through the jail for a class B misdemeanor or above must agree to produce the child to the Youth Section upon request of the youth investigator. Officers will give the person receiving the child a Juvenile Release Instructions card to explain the process.
 - 4. Should the person taking responsibility of the child not agree, a supervisor will be contacted to determine the appropriate disposition of the child.
 - 5. The child may be released to their own custody for a class C offense, provided the child is not intoxicated, a runaway, or under circumstances where their welfare could be in question.
 - 6. Citations issued to juveniles for non-traffic offenses must include their current grade level on the top of the court copy of the citation or in the notes section for e-citations.
 - 7. City Attorney referrals will be made for class C offenses committed by juveniles if the juvenile is not arrested or cited, and an offense report will be completed.
 - 8. In cases where a juvenile is charged with a class C misdemeanor an ARS report will be completed.

310.06 Station Processing

- A. A child taken into custody for a class B misdemeanor or above offense, shall be brought without unnecessary delay to a designated juvenile processing area of an Irving Police facility.
 - 1. A child may be detained at a juvenile processing office for no more than six hours. Disposition of the child must then be made using one of the options under 310.06(B) of this section.

- 2. A parent or guardian will be contacted as soon as practical and informed of the location of the child and the reason for the detention.
 - a. The child will be accompanied by a parent or attorney if requested by the child.
- 3. If the child is arrested for a class B offense or higher, they should be processed through the juvenile area of the jail and should only enter via the Property Room area.
- 4. Juveniles arrested for class C misdemeanors will be detained and supervised in a juvenile processing office and never placed in the jail detention area.
- B. Within 6 (six) hours of a juvenile arrest and detention at an designated Irving police juvenile processing office or jail detention area, and after receiving supervisor approval, disposition of the child must be made using one of the following options:
 - 1. Release the child to a parent, guardian, custodian of the child, or other responsible adult with the person's promise to bring the child to the Youth Section by appointment.
 - 2. Take the child directly to the Juvenile Detention Center.
 - 3. Facilitate transport of the child to a medical facility for treatment.
 - 4. Take the child before a Justice of the Peace or Irving Municipal Judge.
 - 5. During school hours, a child who is enrolled in a school may be released to school administrators.

310.07 Station Release

- A. Juveniles released from the station after an arrest for class B misdemeanors and above will be processed through the jail per Technical Services Division-Jail Section SOP.
- B. On all class B and above arrests, in which there is a high probability of charges being pursued, the child will be fingerprinted on the Live Scan fingerprinting machine and photographed on the Photo Capture Station by detention personnel. Fingerprints and photographs will be stored in the Live Scan fingerprinting machine and in the Photo Capture Station. Fingerprints will not be transmitted to Texas DPS until a case determination has been made by Youth Services investigators.
- C. Chapter 52 of the Texas Family Code requires that information regarding the arrest of juveniles be purged by the agency on the 10th day after the arrest if criminal charges are not filed. This includes fingerprints and photographs.
 - To ensure proper tracking of children arrested, photographed and fingerprinted, officers will:
 - a. Route the report through ARS to the youth investigators using the (YS) designation.
 - b. The youth investigators will track juvenile cases and purge juvenile records that do not result in prosecution. If the child was fingerprinted and photographed as part of the case preparation, they will ensure that the child's fingerprints are purged from the Live Scan fingerprint machine and the child's photograph is purged from the Photo Capture Station.

- c. The youth investigator will verify the case status with all involved officers before directing the destruction of records.
- D. Children who are brought out of the juvenile processing area of the jail to be released to a parent should not be handcuffed unless officers have articulable information that the child poses a danger.

310.08 Detention Center Transfer

- A. Officers will request an immediate transfer to the Juvenile Detention Center for the following offenses or situations:
 - 1. A felony offense involving a weapon, sexual assault or other serious assault or injury;
 - 2. If the juvenile is classified as a high-risk delinquent, parolee from Texas Youth Council, on official probation, or is a known drug addict or alcoholic
 - A felony or misdemeanor offense and the officer has reasonable cause to believe that the child's behavior poses a continued threat or challenge to parental supervision or to the community
 - 4. Child's arrest information must be entered into TECHSHARE by the Jail Supervisor prior to transporting the child to JDC. The Juvenile Arrest Supplement and a Juvenile Charging Sheet must accompany the juvenile to JDC or LETOT.
 - 5. Per section 53.02(f) of the Texas Family Code, "a child who is alleged to have engaged in delinquent conduct (class B misdemeanors and above), and to have used, possessed, or exhibited a firearm... in the commission of the offense shall be detained until the child is released at the direction of the judge of the juvenile court." Under the listed circumstances involving a firearm, the child must be brought to JDC and is not eligible for a field release or station release to parent or guardian.
- B. The watch commander will make final approval for a juvenile to be placed in the Juvenile Detention Center or released to parent, etc.
- C. Class C Misdemeanor Transfers
 - The Juvenile Detention Center is not obligated to accept class C arrests; however, LETOT will accept juveniles arrested for class C assault involving family violence or status offenses.
 - a. Officers should exhaust all other means to protect family members prior to considering a LETOT transfer (i.e., release to relatives or responsible adult).
- D. The Dallas County Juvenile Detention Center and LETOT will not accept intoxicated juveniles without clearance from a medical facility unless the juvenile is detained based on a warrant from the juvenile court.

310.09 Juvenile Arrest Report (TECHSHARE)

A. The TECHSHARE system is a Dallas County based electronic filing and information sharing system. This system is used by the Records Section to direct file juvenile cases to the District Attorney's Office and also contains a database of reports from various agencies concerning juveniles. Officers will continue to complete their reports on ARS as they would for an adult, and the Records Section will place this information into the TECHSHARE system. The jail will initiate the report in TECHSHARE if the juvenile is transported to JDC or to LETOT.

- 1. The watch commander will approve the report as any other arrest in ARS.
- 2. Child's arrest information must be entered into TECHSHARE by the jail supervisor prior to transporting the child to JDC or LETOT.
- 3. Officers must complete a Juvenile Charging Sheet and the Juvenile Arrest Supplement if juvenile is to be taken to JDC or LETOT.
- B. Any juvenile criminal investigation requiring follow-up will be routed to CID for disposition. Youth Services is responsible for approving all reports entered into the TECHSHARE system.

310.10 Runaways

- A. If a juvenile who is reported as a runaway is located by an officer, that officer should take the juvenile into custody and process the juvenile as an arrest.
- B. On third and subsequent arrests for runaway or in the best interest of the juvenile, after consulting a supervisor a runaway may be taken to LETOT at 10505 Denton Dr. in Dallas. Officers will call (214) 352-8134 with the juvenile's information to seek specific instructions from the staff.
- C. Juveniles who return home voluntarily may not be arrested for runaway. Reporting officers will do a supplement to the runaway report on ARS and route the report to youth investigators and SRO. Records will clear the "wanted" and "filed at large" from TECHSHARE.
- D. A person who has reached 17 years of age and is reported as missing shall be taken by the officer to a person entitled to possession of the individual, if immediately available. If the person entitled to custody of the individual is not available, the individual shall be taken to Child Protective Services.
 - 1. If the person entitled to the custody of the individual knows the 17 year-olds' whereabouts, the missing person will not be taken into custody UNLESS:
 - a. The 17 year olds' safety is in doubt;
 - b. The 17 year old poses a danger to others.
- E. If a runaway is suspected to be involved in crimes involving human trafficking, officers will notify their supervisor. The vice sergeant or special investigations lieutenant will be notified of the circumstances.

310.11 Truancy

A. Truancy is a civil violation; therefore, the youth may not be detained or handcuffed for a truancy violation.

310.12 Emergency Callout for youth investigator or CID investigator

- A. Youth investigators or CID investigators are available for call out at the discretion of the watch commander. A call out should be initiated when a juvenile is arrested and the watch commander deems their presence is necessary in the investigation.
- B. Call out should be made through the SRO sergeant or CSD lieutenant or the appropriate CID supervisor for CID investigators.

310.13 Texas Juvenile Justice Department (TJJD)

- A. TJJD pick up requests are not warrants, but merely indicate a warrant may be outstanding.
- B. Officers with persons having a TJJD hold should immediately notify TJJD and determine if TJJD desires to make arrangements to have the person detained by the Juvenile Detention Center or pick up the subject themselves.
- C. If it is determined a warrant is outstanding from TJJD, an arrest is authorized.

310.14 Multiple Offenses

A. Multiple offenses arising out of the same act, other than crimes against persons or drug violations, will be considered as one act of delinquency and will be handled for the most serious offense.

310.15 Dependent Child

- A. A child under the age of 10 years is a dependent child and may not be arrested for criminal conduct. When involved in violations of the law, the child will be identified on an ARS report and listed as a suspect. This is not an arrest.
- B. A separate child welfare report is not required. The ARS report will be titled with the offense that has occurred. (e.g. Theft, Criminal Mischief etc.) Complete the report as indicated in the report directions.
- C. The child will be released to his parent or guardian. If neither can be done, the officer will contact the Department of Protective and Regulatory Services who will assist in finding a parent or will instruct that the juvenile be taken to Child Protective Services, 8700 N. Stemmons, Dallas, Texas, 1-800-877-5300. The officer will furnish two (2) copies of the report to the shelter with a notarized and completed CPS Affidavit of Fact.
- D. The officer is responsible for routing the report and explaining the situation if the child is placed with Child Protective Services. Routing will be made to the following:
 - 1. Watch commander
 - 2. Jail supervisor
 - Communications section
 - 4. Criminal Investigation Division
- E. The officer will place a letter of notification in a conspicuous location at the home of the parent or guardian to notify them of the custody.

310.16 Protective Custody

- A. With supervisor approval, an officer may take a child into protective custody under the following circumstances:
 - 1. When the child is in the custody of an arrested adult and there is no responsible adult available to accept custody:

- a. An arrest report will be completed on the adult.
- b. A child welfare report, showing the child as the complainant, will also be completed.
- 2. When an officer has reasonable cause to believe that there is immediate danger to the physical safety or emotional well-being of the child (e.g., abandoned children, abused children).
- 3. When a lost child is found and no parent, relative, or responsible adult is available to accept custody.
- B. When the child is taken into protective custody, the following paperwork must be completed:
 - 1. ARS Report
 - 2. CPS Affidavit of Fact
 - 3. Notice of Emergency Removal of Children (will be completed and left in a conspicuous location in the home when the child is taken into custody and no parents or guardians are present)
- C. The child will be released to their parent or guardian if possible. If this is not possible the child will be released to a CPS caseworker at the Family Advocacy Center during normal operating hours. If neither can be done, the officer will contact the Department of Protective and Regulatory Services who will assist in finding a parent or will instruct that the juvenile be taken to Child Protective Services, 8700 N. Stemmons, Dallas, Texas, 1-800-877-5300. The officer will furnish two (2) copies of the child welfare report to the shelter. The officer is required to complete a CPS Affidavit of Fact which must be notarized (notaries can be found at the jail or Parkland Hospital for convenience.)
- D. Children picked up for protective custody for alleged abuse, neglect, or abandonment will not be released back to the alleged offender without the approval of the Department of Protective and Regulatory Services. (Note: If more than one child is placed under protective custody involving the same incident, only one child welfare report is required listing all names, dates of birth, and addresses of each child.)

310.17 Arrests at School

- A. Officers will defer to a School Resource Officer to make an arrest at school whenever possible. Children should not be removed from school lacking a felony, or serious misdemeanor offense that threatens the safety of other students. The parent or guardian will be notified promptly if a child is removed from school.
- B. During school hours, an SRO Sergeant should be contacted prior to the arrest of a juvenile while at school.
- C. Citations may not be issued for "school offenses". An ARS report will be generated listing the report type as "SCH OFF". The name of the non-traffic class C violation will be listed under the offense tab. School offense reports will be routed to IPDCSDSRO.

310.18 Intoxicated Juveniles

A. Driving While Intoxicated

- 1. Juveniles suspected of driving while intoxicated will be processed using the same methods as adults, (refer to Patrol SOP) with the following guidelines:
 - a. If a breath test is offered, it will be processed by the Intoxilyzer in the adult area of the jail. The jail supervisor will be notified prior to entry through the sally port and all adult prisoners will be removed from the area while the juvenile is present.
 - Officers may use the video system in the jail if no video was taken at time of arrest.
 - c. A portable breath test may be offered as an investigative tool, but refusal to submit a breath specimen does not amount to a breath test refusal.
 - d. If a juvenile (age 15 or 16) is suspected of DWI and was involved in an accident that resulted in the death, likely death, or serious bodily injury of any person, and the juvenile's intoxication was a factor in the accident, a search warrant and blood specimen are required.
 - e. Juvenile DWI reports will be completed on ARS and all other state administrative forms will be submitted as usual.
 - f. Juveniles arrested for DWI whose breath test is less than 0.08% will be processed as DUI minor if there is any detectable amount of alcohol, or may be processed by a DRE if there are signs of intoxication (drugs) inconsistent with the breath test result, with the approval of a supervisor.
- B. Driving Under the Influence (DUI)
 - Officers shall follow procedure in Patrol SOP.

C. Public Intoxication

- Juveniles arrested solely for public intoxication should be released to a parent or other responsible adult or to a medical facility without delay and not brought to a police facility. They may be cited for public intoxication.
- 2. Intoxicated juveniles at school may not be considered publically intoxicated and should not be detained solely for that reason.

310.19 Transporting Juveniles

A. Arrested juveniles will not be transported with arrested adults except when the adult is a relative or guardian of the juvenile.

310.20 Juvenile Confessions

- A. Taking a juvenile statement is a process that requires substantial commitment of time and resources to complete. Generally, if a juvenile statement is needed, CID or a youth investigator should be called out.
- B. Juvenile statements will be taken according to the procedure found in the Texas Family Code and the CID Standard Operating Procedure.

310.21 Arrest of Adults for Offenses in Which They Were Involved as Juveniles

- A. An adult arrested for an offense committed while a juvenile will be handled as a juvenile for that offense.
 - 1. Any person, 17 years of age or older, will be booked in as an adult if the warrant from TJJD is for Escape, Probation, or Parole Violation.
- B. If an adult is picked up and determined to have both adult and juvenile charges against him or her, he or she should be handled as an adult until the charges have been satisfied, and then transferred to the Juvenile Detention Center. If the Juvenile Detention Center refuses them, he or she should be released.

310.22 Traffic Offenses

- A. As used in this General Order, the term "traffic offense" or "traffic violation" is a violation of any of the statutes listed in the Transportation Code for which a citation may be issued.
- B. A child, 10 through 16 years of age, may be issued traffic citations.
- C. A dependent child under 10 years of age will be handled in accordance with G.O. 310.15 or G.O. 310.16.
- D. If an officer makes a traffic stop on a juvenile and the stop leads to other criminal charges, juveniles should be handled as stated in General Order 310.04 and 310.10. (Example: A juvenile is stopped for speeding and officer sees marijuana in plain view.)
- E. A juvenile found to be operating a motor vehicle without a valid driver's license will not be allowed to drive from the location; officers will instead:
 - 1. Release the vehicle to a licensed driver in the vehicle; or
 - 2. Have the parent come to the location and take custody of the vehicle and juvenile offender; or
 - 3. Legally park the vehicle and escort the juvenile home or to the station where the parent or guardian can take custody; or
 - 4. Release juvenile offenders less than fourteen (14) years of age to CPS, should a parent or guardian be unavailable.

310.23 Student Arrest - School Notification

- A. A law enforcement agency that arrests an individual the officer knows or believes to be enrolled as a student in a public or private, primary, or secondary school for the below listed offenses, must notify the superintendent of the school district or principal of the private school district or principal of the private school in which the student is enrolled, or believed to be enrolled, of that arrest or detention, within 24 hours after the arrest, or on the next school day. Also, within seven days after the date the oral notice is given, the law enforcement agency will mail written notification to the superintendent or principal. (CCP 15.27)
- B. The offenses requiring school notification are the following:
 - 1. All felonies
 - 2. The following misdemeanors:

- a. Unlawful Restraint P.C. 20.02
- b. Indecent Exposure P.C. 21.08
- c. Assault P.C. 22.01
- d. Deadly Conduct P.C. 22.05.
- e. Terroristic Threat P.C. 22.07.
- f. All narcotics/dangerous drugs offenses involving use, sale, or possession, including paraphernalia charges. (HSC 481)
- g. Unlawful possession of all weapons listed in P.C 46.01 (1) (14)
- h. Unlawful Possession of a Prohibited Weapon P.C. 46.05.
- i. Engaging in Organized Criminal Activity P.C. 71.02.
- C. When a student, 17 years of age or older, is arrested for one of the above listed offenses, the ARS report will be routed to the SRO/Student School Incidents group for notification.
- D. Student notifications on arrested juveniles are made automatically by TECHSHARE and the Records Section will input the information into TECHSHARE from the officer's ARS report and Juvenile Arrest Supplement.

310.24 Juvenile Curfew

- A. The juvenile curfew is intended to protect juveniles from becoming the victims of crime and from becoming involved in harmful or otherwise illegal activity during early morning hours while outside the supervision of their parents or guardian. Officers should use the ordinance to protect juvenile violators when warranted and reserve enforcement action for repeat offenders, negligent parents or guardians, or business owners who habitually allow juveniles to remain at their business in violation of the curfew.
- B. This section is not intended to educate officers on the substance of the ordinance. Officers will become familiar with City Ordinance Section 56-1 before making a detention or taking enforcement action for violations of the juvenile curfew.
- C. The ordinance permits officers to detain juveniles based on reasonable suspicion or probable cause who are found in a public place between the hours of 12 a.m. to 6 a.m., Monday through Friday morning, and between 1 a.m. and 6 a.m. on Saturday and Sunday morning.
- D. Officers should use discretion as the ordinance seeks to protect those juveniles who are legitimately exercising a constitutionally guaranteed right or in violation with parental consent for a specific supervised purpose.

311.00 DETENTIONS/ARRESTS REQUIRING SPECIAL HANDLING

311.01 **Purpose**

This policy provides guidelines for those detentions and arrests which require special handling.

311.02 Policy

All people detained or arrested will be handled fairly and according to the law. In those instances where special circumstances exist, the agency will use resources in the areas that provide the services needed.

311.03 Definitions

Chemical dependency: means the abuse of alcohol or a controlled substance; psychological or physical dependence on alcohol or a controlled substance; or addiction to alcohol or a controlled substance.

Mental illness: means an illness, disease, or condition, other than epilepsy, dementia, substance abuse, or intellectual disability that substantially impairs a person's thought, perception of reality, emotional process, or judgment, or grossly impairs behavior as demonstrated by recent disturbed behavior.

311.04 Mentally III Persons

- A. Emergency Situation Warrantless Arrest (APOWW Apprehension by a Peace Officer Without a Warrant). If an emergency situation exists where an officer has reason to believe and does believe that a person evidences mental illness, and because of that mental illness there is substantial risk of serious harm to the person or others unless the person is immediately restrained, and the officer believes that there is not sufficient time to obtain a Mental Health Warrant before taking the person into custody (Texas Health & Safety Code 573.001), the officer will:
 - 1. Contact the Mental Health Response Team through Communications for deployment. If the team is unavailable, continue protocol listed below.
 - 2. Notify a field supervisor of the apprehension and where the person will be taken; and
 - 3. Take the person directly to a mental health facility deemed suitable by the local mental health authority; or
 - 4. If the person has injuries or otherwise requires medical treatment before being admitted to a mental health facility:
 - a. The person should be transported to Parkland Memorial Hospital (PMH), if possible, to acquire treatment and medical clearance before being transferred to the PMH psychiatric emergency room; or
 - b. The person may be taken to the nearest available medical facility to acquire emergency room treatment and medical clearance before taking the person to a mental health facility deemed suitable by the local mental health authority; or
 - c. If the person is admitted for medical treatment to a local hospital (Baylor Scott & White or Medical City Las Colinas), the officer shall notify a field supervisor who will decide whether the officer should remain with the person in custody until medically cleared or if it is safe to release them to the hospital's care. If the

person is left in the hospital's care, the officer will complete a mental health report using report type MENTAL INC documenting the incident.

- 5. Juveniles who do not require medical treatment should be transported to a mental health facility where the juvenile has previously undergone treatment or an approved facility. A list of approved facilities is maintained by Communications.
- B. Upon the person's admission to the mental health facility, the officer will make an arrest report, using report type MENTAL HLT, and route it to the Mental Health Response Team.
- C. Non-Emergency Situations
 - A non-emergency mental health incident may include, but is not limited to, the following situations:
 - a. Individual is exhibiting irrational behavior and/or experiencing a mental health event that has overwhelmed the individual's capacity to cope normally;
 - b. The individual's mental health condition was a producing cause of the call for service:
 - c. The individual has been the subject of repeated calls for service due to their mental health condition;
 - d. There is evidence the individual is not following mental health treatment protocols;
 - e. The individual has co-occurring chemical dependency and mental health conditions
 - 2. In non-emergencies the officer will not take the person into custody but may employ one or more of the following options:
 - a. Contact the Mental Health Response Team through Communications for deployment, if available.
 - b. Advise the individual and/or his family/caretakers of the following treatment opportunities:
 - i. ADAPT
 - ii. Out-patient services through Parkland Memorial Hospital
 - iii. Other social services as applicable
 - 3. Upon completing a non-emergency mental health call, the officer will complete a mental health report using MENTAL INC for report type and route it to the Mental Health Response Team for follow-up. The officer shall make every effort to gain as much historical information as possible, including but not limited to: previous diagnosis, current medications, current or previous service providers, and any chemical dependencies. If the individual is a high utilizer and the officer has contacted him/her at the same location as previous calls, the most recent mental health incident report may be supplemented and routed to the Mental Health Response Team.
 - 4. No person being detained solely for mental health reasons will be brought to the jail, photographed or fingerprinted.

- D. Officers shall notify the dispatcher of all calls with a mental health component, regardless of call code, for dispatch documentation purposes. A call is considered to have mental health component if any involved individual is exhibiting irrational behavior and/or is experiencing an event that has overwhelmed the individual's capacity to cope normally due to mental health issues or chemical dependency.
- E. All reports related to a mental health call, both criminal and non-criminal in nature, shall be forwarded to the Mental Health Response Team for follow up. This does not take the place of normal routing for criminal investigative follow up. In the event an offense report is generated on a mental health call, a separate MENTAL INC report is not required. The officer shall include the mental health information in the offense report and route it to the Mental Health Response Team.

311.05 Seizing Firearms from APOWW Arrestees

- A. A peace officer may immediately seize for safekeeping a firearm found in the possession of an APOWW arrestee.
- B. Officers should use ample discretion in exercising this power and all reasonable alternatives to seizure should be considered.
- C. An officer who determines that seizing a firearm from an APOWW arrestee is necessary is required under Art. 18.191 Tex. Code of Criminal Procedure to immediately provide to the arrestee:
 - 1. A written copy of the receipt for the seized firearm(s); and
 - 2. A written notice of the procedures and rights regarding the seized firearm.
- D. The seizing officer shall attempt to identify the arrestee's closest immediate family member and include their name, address, and telephone number in the report.
- E. The officer shall document in the arrest report that the arrestee was provided with a copy of the receipt for seized firearm(s) and notice of procedures and rights.
- F. The firearm shall be stored in the Property Room in accordance with department policies and procedures.
- G. The arresting officer shall send a copy of the arrest report to the police legal advisor.

311.06 Foreign Language and Hearing Impaired Interpreter

- A. Officers should utilize this procedure based on the need for an interpreter relative to the seriousness of the situation and the communication barriers encountered. For example, officers should be prepared to complete common tasks such as issuing a citation using the Spanish language or handwritten notes without the assistance of a translator. In those situations involving other communication barriers or instances of a more serious nature, the following resources should be utilized for normal events. In the case of serious offenses the use of department translators is preferred when possible:
 - 1. Foreign Language Interpreter:
 - a. The Voiance language line may be accessed at 1(844) 750-2836;
 - b. Officers may utilize on duty police officer interpreters;

- c. During normal business hours the Records Section may be contacted at Extension 2437;
- d. Officers may contact the jail at extension 2500;
- e. As a last resort, officers may contact the Police Communications Section to check for an available translator;
- f. For calls involving violent crimes or domestic violence, in order to minimize any negative affect on a child, officers should avoid using children to interpret for a parent and a parent should not be allowed to interpret for a child.

2. Hearing Impaired Interpreter:

- a. If an interpreter is needed, sign language assistance may be obtained through a list maintained by the Communications Section or through the Deaf Action Center in Dallas.
- b. Central Control and Communications has a telephone designed for the hearing impaired.

312.00 CITATIONS

312.01 **Purpose**

This policy provides officers with guidelines for issuing citations for Class C violations.

312.02 Policy

When appropriate, officers may issue citations in lieu of arrest for violations of city ordinances, traffic laws, and Class C offenses and will provide the violator with instructions on how to contact the municipal court.

312.03 Traffic Violations

- A. The Irving Police Department promotes safe and expeditious flow of vehicle and pedestrian traffic through effective traffic enforcement activities. The goal is to reduce fatalities, injuries, and property damage resulting from traffic collisions.
- B. Traffic laws will be enforced fairly and consistently to ensure the safe and expeditious movement of traffic.
- C. Enforcement should be taken against violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic. Citations should be issued if the violation creates a hazardous traffic condition, involves failure to maintain financial responsibility, no driver's license, or is flagrant.

D. Traffic Control Devices

- Upon establishing a new traffic control device, modifying an existing traffic control device, or installing or modifying any local ordinance regulating vehicular traffic, motorists will be allowed a maximum fifteen (15) day educational period. The fifteen (15) day period begins on the date of placement or installation of the traffic control device.
- 2. Traffic stops for violations of newly installed devices are encouraged, but lacking aggravated circumstances, verbal warnings should be issued.
- 3. The fifteen (15) day educational period does not apply to the following:
 - a. Fire lanes
 - b. Handicap parking
 - c. No stopping, standing, or parking
 - d. Stop signs
 - e. Electronic traffic control signals

312.04 Warning Citations

- A. Warning citations may be issued for any traffic violation when an officer believes a warning will effectively encourage compliance with traffic laws.
- B. If a violator refuses to sign a warning citation, write "refused to sign" in the signature block and release the violator.

312.05 Refusal to Sign a Traffic Citation

- A. All violators issued citations for speeding, texting while driving, or possession of an open container must be given the opportunity to sign the citation.
- B. If a violator refuses to sign a citation, the officer will write "refused to sign" in the signature block and release the violator.
 - 1. Under extenuating circumstances, the officer may call a supervisor to the scene to determine if it serves a greater public interest to arrest the driver.

312.06 Motor Vehicle Accident

- A. In cases involving a motor vehicle accident, citations should be issued when:
 - 1. A Texas Peace Officer's Crash Report, form CR-3, is required (Patrol S.O.P. 332.08) and.
 - 2. Probable cause exists supporting a violation of traffic laws.
 - 3. Class B charges for leaving the scene of an accident, absent extenuating circumstances, may be reduced to Criminal Attempt Class C misdemeanor and a citation issued.

312.07 Non-Traffic Violations

- A. Theft under \$100.00 or Criminal Attempt Theft under \$750.00
- B. An officer may issue a citation to an offender (adult or juvenile 10 to 16) if the suspect is not a repeat offender. In the case of a juvenile offender, a citation cannot be issued for a school offense. The suspect's identity must be confirmed by adequate information or through some other independent means.
 - 1. Officers will run a local record check, criminal history, and check for previous theft citations. If unable to complete a check, and without additional information, the suspect may be processed as a first offender.
 - 2. When issuing a citation the officer shall:
 - a. Complete an ARS report for the appropriate criminal offense.
 - b. Have the defendant sign the citation. Refusal to sign will result in custodial arrest.
 - Officers shall list the citation number in the body of the report.
- C. The following Class B charges, absent extenuating circumstances, may be reduced to Criminal Attempt Class C misdemeanor and a citation issued.
 - 1. Criminal Mischief U/\$750
 - 2. Criminal Trespass
 - Harassment

- 4. Interference w/Public Servant
- 5. Obstructing Highway/Passageway
- 6. Reckless Conduct
- 7. Silent or Abusive Call/911
- 8. Terroristic Threat (Imminent Fear)
- 9. Theft of Service U/\$750

312.08 Mailing Citations

- A. A citation may be mailed to the violator if:
 - 1. The violator is unable to sign the citation at the time of the violation.
 - 2. The violator does not live in Irving or an officer has made sufficient effort to contact the violator who lives in Irving.
 - 3. A supervisor approves.
- B. The issuing officer will deliver the citation to the division secretary who will mail it by certified mail.
 - 1. A copy of the certified letter will be forwarded to the court.

312.09 Juveniles

- A. Excluding school offenses, juveniles 10 16 years of age may be issued a citation.
- B. Juveniles age 10 16 may be issued a citation for Class C offenses where a citation would be appropriate (e.g., theft).
 - 1. When a citation is issued for a Class C offense, the juvenile will not be incarcerated except with a supervisor's approval and under circumstances where their or another's welfare requires it.
 - 2. Citations should ordinarily be issued unless a city attorney referral is appropriate (e.g., assault).

312.10 Citation Accountability (Paper Citation Books)

- A. All officers are accountable for each citation issued to them.
- B. Supervisors will check each citation for completeness and accuracy before forwarding to the Court.
- C. Citations must be issued in numerical order.
- D. The violator will be given the pink copy. The white copy will be turned in with other paperwork. The "hardback" will be retained by the issuing officer and must be kept by that officer for a minimum of two years for audit purposes.
- E. Changes to Citations

- 1. If the change is made on all copies before the violator receives their copy, then note the change on the back of the white copy.
- If a change is required after the violator has been released and the officer is unable to contact the violator, then the changes must be sent to the violator via certified mail. A copy of the certified letter must be given to the court.

F. Lost Citations

1. In the event a citation is lost, the officer will report the circumstances in a memo to the officer's bureau chief via the chain of command.

312.11 Dismissing and Voiding Citations – Paper or Electronic

- A. Citations may be voided for the following purposes:
 - 1. An officer makes a mistake while writing the citation.
 - 2. The officer determines that no violation occurred (e.g. the driver finds their driver's license, etc.).
 - 3. The officer must leave the scene to respond to an emergency situation before they can complete the citation.
- B. To void a citation, the officer will send an e-mail that lists the citation number and reason for the void to their immediate supervisor.
 - 1. Paper copies of the citation will be sent via interoffice mail to the officer's bureau chief.
 - 2. Officers will retain the hard copy of a handwritten citation.
 - 3. Officers will not write "void" on the citation.
 - 4. Officers will not use liquid paper, erase, or otherwise alter citations.
- C. Once a citation has reached the court, it cannot be voided. A dismissal request must be initiated if it is to be dismissed.
- D. The supervisor will forward the email through the chain of command to the officer's bureau chief and notify the court using the email group "Void Requests."
- E. Dismissing citations:
 - 1. The request for dismissal is a request from the bureau chief to the court, through the prosecuting attorney.
 - 2. To request dismissal, the officer should state the reasons for the request in a memorandum addressed to their bureau chief, submitted through the chain of command.
 - Once a citation has reached the court, no officer has the authority to retrieve it from the court. An officer may call the court and put the citation on hold, pending their dismissal request.

313.00 ENFORCEMENT OF HANDGUN LAWS

313.01 **Purpose**

This policy directs officers in contacts with handgun licensees and establishes procedures for enforcing Texas handgun laws.

313.02 Policy

Persons licensed to carry a handgun under Texas law will not be unnecessarily hindered in the exercise of that privilege. Absent reasonable suspicion of potential criminal conduct, officers should not detain a person solely to determine if they have a handgun license. Officers encountering license holders carrying a handgun under circumstances that are grounds for suspension or revocation of their License to Carry will properly document such circumstances for reporting to the Texas Department of Public Safety.

313.03 Procedure

- A. Identification of License Holder during Police Contacts
 - 1. When a police officer asks for identification, a person licensed to carry a handgun, who is carrying a handgun, must present:
 - a. A valid Texas Driver's License or valid DPS-issued Texas Identification Card
 - b. The License to Carry (LTC)
 - 2. If a wanted check of the person reveals that they are an LTC holder and they have not displayed their LTC upon request, the officer may investigate further to determine if the LTC holder is armed.
 - a. If the officer's investigation reveals reasonable suspicion that the subject is armed and poses a danger, a *Terry* frisk is appropriate.
 - b. There is no criminal penalty for violating the requirement to display an LTC and an arrest should not be made for that violation alone.
- B. Unlawful Carrying of Handgun by License Holder (PC 46.035)
 - 1. Enforcement may be taken against a license holder who intentionally displays a handgun unless the handgun is in a belt or shoulder holster.
 - 2. Officers may take enforcement action whenever they encounter license holders who intentionally, knowingly, or recklessly carry a handgun on any premises where carrying is specifically prohibited by statute.
 - 3. Officers should take enforcement action whenever they encounter license holders who are carrying a handgun while intoxicated.
- C. Right to Refuse License Holder Access
 - 1. A private business may prohibit license holders from carrying a handgun on the premises of the business, except for driveways, streets, sidewalks, or parking areas.
 - 2. License holders may be arrested for Criminal Trespass when the license holder carries a handgun onto property of another without effective consent, and received notice from the

owner or their representative, either by oral or written communication, that entry onto the property with a handgun is forbidden, as specified in Texas Penal Code 30.06 and 30.07.

- a. The communication must be precisely as specified in the Penal Code.
- D. Seizure of a License Holder's Handgun and License
 - If a license holder is arrested and is in possession of a handgun, the gun and LTC will be seized:
 - a. as evidence if the officer believes a reason exists to suspend or revoke the LTC or is otherwise evidence of an offense, or
 - b. for safekeeping
 - 2. In circumstances where a gun is seized, such as from an incapacitated person, the gun will be placed in the Property Room for safekeeping.
 - 3. A gun seized from a license holder will be released only through the Property Room.
- E. Preparation of Affidavit for Suspension or Revocation
 - Officers will prepare a Texas Department of Public Safety Revocation Affidavit (LTC-88) or a Suspension Affidavit (LTC-88) if the officer believes a reason exists to suspend or revoke the LTC. Both forms are available online at: https://www.dps.texas.gov/RSD/LTC/forms/index.htm
 - 2. Records Section personnel will process the affidavit.
 - a. The original affidavit and copies of all reports relating to the incident will be sent to DPS within five (5) working days.
 - b. A copy of the affidavit will be sent to the license holder at the same time.
- F. Disarming of a License Holder (Tex. Gov't Code § 411.207)
 - 1. While in lawful discharge of official duties, an officer may disarm a license holder at any time when the officer reasonably believes it is necessary for the protection of the officer, the license holder, or other individuals. This belief must be based on specific, articulable facts.
 - 2. When an officer believes that disarming a license holder is necessary, all accepted officer safety principles apply. The following general guidelines will be followed, when practical:
 - a. Officers should explain the reason for the disarming to the license holder.
 - b. The officer is responsible for removing the handgun from its place of concealment.
 - c. Handling the handgun will be kept to a minimum.
 - d. The officer should not unload the handgun.
 - e. The handgun should be secured in the trunk of the license holder's car, the officer's vehicle, or any place that allows for safeguarding the gun.
 - 3. If it is determined that the license holder is not a threat to the officer or other individuals then the handgun will be returned to the license holder.

- 4. A peace officer who is acting in the lawful discharge of the officer's official duties may temporarily disarm a license holder when a license holder enters a nonpublic, secure portion of a law enforcement facility, including the Criminal Justice Center, The Family Advocacy Center, the North Police Station and the Police and Fire Academy.
 - a. Gun lockers are provided at each of these locations.
 - b. Officers should explain the reason for the disarming to the license holder.
 - c. The license holder is responsible for removing the handgun from its holster or place of concealment and placing it into the locker. The handgun will not be unloaded.
 - d. The license holder will retain the key to the locker.
 - e. The handgun should not be handled by the officer.
 - f. The license holder, once out of the secure area, will retrieve their weapon and reholster.

314.00 VEHICLES OPERATED WITHOUT INSURANCE

314.01 Purpose

This policy establishes guidelines and procedures for officers who encounter individuals operating a motor vehicle without the required insurance coverage.

314.02 Policy

This agency will conduct traffic enforcement that will provide the maximum protection to all individuals who use the roadways. As part of this strategy, the agency's goal is to ensure that all vehicles are operated with the insurance coverage required by law. Enforcement action should be taken when officers encounter individuals who fail to maintain the required coverage. Any action taken will be applied equitably and without discrimination to any person.

314.03 Vehicles Operated Without Insurance

For the purposes of this policy, the term "insurance" refers to the insurance coverage on a specific motor vehicle at the level of liability insurance meeting the state minimum or greater (TTC 601.051- 601.124). Insurance is required whether the vehicle is operated on a public roadway or private property. Evidence of insurance is a policy card stating the name of the insured or authorized drivers, insured vehicle, insuring company, company phone number, policy number, and beginning and expiration dates of coverage.

314.04 Enforcement

A. Traffic Stops

- 1. As part of a routine traffic stop, officers should ask the driver for the required proof of insurance on the vehicle.
 - a. Drivers who fail to provide evidence of insurance coverage when required should be issued citations unless coverage can be verified through the vehicle insurance database or insurer.
 - b. If the officer, either through a driver's license check or through personal contacts, knows that the driver has a previous citation for operating the vehicle with no insurance, and the operator continues to operate the vehicle without the required coverage, the officer should impound the vehicle in accordance with this policy.

B. Accidents

- 1. Officers are required to use the insurance coverage database to verify coverage for all parties involved in an accident.
- 2. If during the investigation of a motor vehicle accident, an officer determines that one or more of the involved vehicles is operated without the required insurance, the officer should impound the uninsured vehicle(s).
- 3. Officers should note on the accident report under "officer summary" the steps taken to verify coverage.

4. If it is determined or verified that the driver does not have the required insurance coverage but the officer believes that there are mitigating circumstances that justify not impounding the vehicle, a supervisor will be contacted for approval.

5. Delayed Enforcement

- a. If an officer investigates an accident where the drivers' insurance coverage appeared to be valid in the insurance coverage database, and it is later determined that the insurance was not valid, the original investigating officer will issue a citation.
 - The citation should be given to the division secretary who will mail it to the violator.
 - ii. The officer must amend the online crash report by submitting a supplement, noting the driver's lack of insurance coverage the citation issued.
 - iii. Additional charges may be filed by the investigating officer if appropriate. (i.e. TTC 548.603, PC 37.10)
- b. If the original accident was cleared without completing a crash report, and it is later determined that the insurance coverage was invalid, the complainant should be referred to the Hit and Run Section for follow-up.

314.05 Impoundment Procedures

A. Impoundment

- 1. In all instances officers should consider the circumstances of the driver and passengers when deciding when to tow a vehicle for no insurance.
- 2. Before impounding a vehicle under this policy, officers should consider the circumstances surrounding the situation including:
 - a. Time of day
 - b. Location
 - c. Ability for operator to be safely removed from the location
 - d. Availability of other units to assist with the safe removal of occupants
 - e. Call demand
 - f. Weather conditions
 - g. Lighting
 - h. Traffic volume and speed
- 3. Before impounding a vehicle when the operator claims to have insurance, but fails to show the required proof of insurance coverage, an officer should make reasonable efforts to determine if the vehicle is insured. Steps to verify coverage may include but are not limited to:
 - a. Using the insurance database to verify coverage

- b. Contacting the driver's insurance company
- c. Contacting the driver's insurance agent
- d. Contacting a parent or guardian if dealing with a minor
- e. Contacting the lien holder
- 4. An officer impounding a vehicle for failure to maintain proof of liability insurance will make reasonable efforts to provide for the safety of the drivers and all occupants. Examples of reasonable efforts include, but are not limited to, transportation of the driver and occupants to a safe place or calling a friend or relative for a ride. If there is no reasonable way to avoid placing the driver and occupants in an unsafe situation, the officer should not impound the car.
- 5. The watch commander may temporarily suspend this policy when needed due to call load and enforcement needs.
- 6. A vehicle impounded under this policy will be taken to the auto pound.
 - a. Private tows or tows to dealerships are not allowed.
 - b. A driver may not release the vehicle to another driver unless proof of insurance is provided.
 - c. Officers will write the words "no insurance" on the impound record sheet under the "REASON" category.

B. Releasing Vehicles from Impound

- 1. Proof of insurance coverage is required prior to releasing any vehicle.
- 2. To allow for the verification of coverage, releases related to this policy should generally occur during normal business hours (M-F, 8-5). If the carrier has an after-hour contact and the coverage can be verified, then the vehicle may be released.
- 3. After-hour exceptions may be made by the on-duty patrol supervisor.
- 4. If it is determined that a vehicle impounded under this policy was towed in error (e.g. the operator has insurance) a supervisor has the discretion to authorize a no-fee release [Patrol SOP 309.05].
 - a. There should be a clear omission on the part of the officer that failed to uncover the existence of the insurance before a no-fee release is authorized.

315.00 VEHICLE IMPOUNDMENT / HOLD / INVENTORY PROCEDURE

315.01 Purpose

This policy provides guidelines to officers for impounding, holding, and inventory of vehicles.

315.02 Policy

When necessary, or required by policy/law, a vehicle will be impounded and an inventory of the vehicle completed.

315.03 Inventorying of Vehicles

- A. A vehicle inventory may be classified as an administrative search of a person's property for safekeeping purposes. As such, probable cause is not required to conduct the inventory, but the inventory may not be used as a ruse to discover incriminating evidence. A properly conducted inventory assures the protection of the defendant and/or owner's property and provides the investigating officer with a degree of protection from false accusations of theft or damage.
- B. Inventorying a vehicle includes any containers inside the vehicle, as well as the trunk, glove box, etc., regardless of whether or not locked, so long as forcible entry is not required in order to conduct the inventory. (A key is not considered forcible entry.)
- C. Vehicle Pull Sheet, listing all items, damage, etc. will be completed on all impounded vehicles. Evidence and/or contraband found will be seized, documented, and placed in the Property Room. Items removed from the vehicle will not be listed on the pull sheet.
- D. Valuable items (money, jewelry, etc.) that cannot be secured inside of a vehicle should be seized for safekeeping.
- E. Firearms shall not be left inside of an impounded vehicle.
- F. Vehicles that are towed to locations other than the city pound or vehicles that are left legally parked shall not be inventoried
- G. Before the vehicle is removed, officers shall obtain the signature of the wrecker driver on the inventory report and provide the tow driver a duplicate copy of the report.

315.04 Holds Placed on Impounded Vehicles

- A. An employee placing a hold on a vehicle will note the reason for the hold on the pull sheet and will initiate the necessary investigative action to satisfy the violation(s) on which the vehicle is being held.
- B. After the reason for the hold has been satisfied, the investigating officer will drop the hold, notify the owner, and complete vehicle release form and forward to the auto pound.
- C. Vehicle holds should not exceed five (5) days. If more time is required a memo stating the details and reasons will be forwarded to the appropriate division commander.
- D. Employees placing holds on vehicles are responsible for disposition. If the disposition will be handled by another division, section or unit, the employee will notify the division, section or unit responsible for the follow up investigation.

315.05 Control and Release of Vehicles

- A. The contract wrecker service is responsible for releasing vehicles not on hold.
- B. The auto pound property assistant is responsible for controlling impounded vehicles, notifying owners, releasing personal property from impounded vehicles, and auction procedures.
- C. The Criminal Investigation Division is responsible for notifying an owner and/or lien holder of a recovered Irving stolen vehicle.
- D. Release problems after business hours will be directed to a patrol supervisor for assistance.

315.06 Releasing Property from Impounded Vehicles

A. Property release form is required any time property is released from an impounded vehicle. The form must be signed by an officer and given to the wrecker contractor at the auto pound.

316.00 OFF-DUTY ENFORCEMENT

316.01 Purpose

This policy provides guidelines for officers taking enforcement action while off-duty.

316.02 Policy

Because of the elevated risks, this agency discourages law enforcement activities by off-duty officers except in situations involving life threatening emergencies.

316.03 Definitions

Off-Duty: action taken when an employee is not in uniform performing any kind of police service.

316.04 Misdemeanor or Traffic Offenses

- A. No enforcement action is to be taken by off-duty officers for misdemeanor or Class C traffic offenses.
- B. Officers are not to become involved in a vehicle pursuit while operating their privately owned vehicles. Emergency vehicles are narrowly defined by state law and such action is not authorized.

316.05 Felony Offenses

A. In all situations, the off-duty officer should consider contacting an on-duty element. However, if an off-duty officer has an objectively reasonable belief that immediate action is necessary to protect themselves or others against threats of serious bodily injury or death the officer may take enforcement action as authorized by the Texas Code of Criminal Procedure, Texas Penal Code and Irving Police Department Policies and Procedures.

316.06 Considerations

A. Off-duty officers should avoid placing themselves, their families, or others in jeopardy in order to take action off duty. On-duty elements should be notified as soon as practical in all incidents and should take initial enforcement action if possible.

316.07 Off-Duty Arrests

- A. When an off-duty officer makes an arrest:
 - 1. An on-duty element should be notified as soon as practical.
 - 2. No arrestee will be transported by privately owned vehicle.
- B. This policy applies to Irving jurisdiction incidents only. Peace officers must comply with state law restrictions on out-of-jurisdiction enforcement, which generally limits arrest authority to felony or on-view breach of the peace offenses.

317.00 FILING FORMAL CHARGES (ADULTS)

317.01 **Purpose**

This policy provides guidelines for filing charges to the proper courts.

317.02 Policy

When violations of the law occur, and when appropriate, the charges will be referred to the proper courts for disposition.

317.03 Municipal Charges

- A. Officers may file charges for Class C misdemeanors with the Irving Municipal Court in the following ways:
 - 1. Citation
 - a. Officers may issue citations in lieu of making an arrest if the offense is a traffic offense or the charge fits the guidelines outlined in the Patrol Division SOP.
 - b. Animal Control officers will issue citations for Class C offenses in accordance with the Animal Control SOP.
 - 2. Arrests for Class C misdemeanors
 - Officers may arrest for offenses committed in their presence or a breach of the peace.

317.04 County Charges

- A. Formal charges must be filed within 72 hours of arrest.
- B. Officers will not "direct file" any cases. A supervisor will review all cases prior to filing.
- C. Cases returned for correction will be corrected and resubmitted within 24 hours.
- D. The arresting officer is responsible for completing and submitting the case unless the arresting officer turns it over to an investigator or supervisor. In such instances, the arresting officer will list the investigator or supervisor name in the arrest report. Officers who cannot complete the case in the prescribed time frames will notify their supervisor.
- E. In cases alleging Cruelty to Animals, responding officers will conduct the initial investigation and generate an offense report. If it appears further investigation is warranted, Animal Control Officers will be called to the scene. ACO will work with CID Investigators on animal cruelty cases but the ACO will be the primary investigator. Cases will be filed by a CID investigator.

317.05 Suspended Cases

A. Officers and Communications Section personnel may suspend any offense report after the report is taken provided the following criteria are met.

- 1. The offense does not involve a sex crime, including offenses such as indecent exposure, public lewdness, and disorderly conduct offenses that are sexual in nature.
- 2. There are no leads in the offense. Examples include, but are not limited to:
 - a. No suspect information or mere physical description of suspect
 - b. Reports requested for record or insurance purposes only
 - c. Reports that do not provide information that requires follow-up
- B. Any officer or Communications Section personnel may leave any offense report pending if they believe it is in the best interest of the department or of the person(s) involved.
- C. The employee writing the report will provide the report number to the complainant and explain the following:
 - 1. The report will remain on file with the department.
 - 2. If complainants contact the Criminal Investigations Division with new leads, their offense reports will be re-opened and assigned to an investigator.
 - 3. Property with serial numbers or unique owner-applied numbers will be entered on NCIC and checked against pawn shop records.
 - 4. The offense will be mapped and marked for investigative information by the Crime Information Center.

318.00 MISSING PERSONS/RUNAWAYS

318.01 **Purpose**

This policy establishes guidelines and responsibilities regarding this agency's response to reports of missing adults, missing children, or abducted children.

318.02 Policy

There is no required waiting period before a report can be made, and to thoroughly investigate all reports of missing persons. This agency holds that every person reported missing is considered at risk until significant information to the contrary is confirmed.

318.03 Definitions

Missing adult: A person 18 years of age or older, whose absence is contrary to his or her normal patterns of behavior and may be due to one or more of the unusual circumstances listed.

Missing child: A person younger than 18 years of age, whose whereabouts are unknown to his or her parent, guardian, or responsible party.

Missing Person with Intellectual Disabilities: A person with a disorder or significantly sub-average general intellectual function.

Runaway: The voluntary absence of children aged 10 through 16 from their home without the consent of their parent or guardian for a substantial length of time or without the intent to return.

Unusual circumstances:

- A. A missing child 13 years of age or younger
- B. A child or an adult who is missing and there is reason to believe one or more of the following situations exist:
 - 1. A child out of their age-appropriate "safety zone" (places where the child goes during his/her normal routine, e.g. yard, park, friend's home, etc.)
 - 2. A person who is mentally or physically diminished or with intellectual disabilities
 - 3. A medically drug dependent person (diabetic, epileptic, etc.)
 - 4. A potential victim of foul play or sexual exploitation
 - 5. A person in a life-threatening situation (e.g., inclement weather conditions or conditions considered hazardous to the missing person or child)
 - 6. The missing person is believed to be with people who could endanger their welfare
 - 7. The person is absent under circumstances inconsistent with established patterns of behavior

318.04 Procedures

A. Communications personnel shall:

- 1. Determine if circumstances of the report meet the definition of a missing child or adult as set forth in this policy.
- 2. Dispatch a primary officer to the reported scene of a missing child or adult. Missing person reports will not be taken over the telephone unless the reporting party is not in the City of Irving.
- 3. Notify a patrol sergeant and a communications supervisor
- 4. Dispatch an officer for local field follow-up on reports that must be taken over the phone.
- 5. Transmit the appropriate radio alerts and other notifications (NCIC entries, inter-agency contacts, **AMBER Alerts**, etc.) with watch commander approval
- B. The first responding officer assigned to the report of a missing person shall:
 - 1. Respond to the scene of the report and conduct a brief preliminary interview with the person(s) who made the initial report to obtain the following information:
 - a. Verify that the person is in fact missing. Search again (getting consent where needed) any location the reporting person claims they have already checked.
 - b. The description of the missing person (e.g., recent photographs, and/or video of the missing person or suspect(s))
 - c. In the case of a missing child, confirm the child's legal custody status. If determined to be a custody dispute, follow Patrol S.O.P. for disturbances unless it can be shown that the child is missing, without explanation, from their usual place of residence or other known place of care (e.g., daycare, school, etc.)
 - d. Refer to Chapter 63 of the Code of Criminal Procedure regarding missing children and missing persons.
 - 2. Determine if unusual circumstances are involved in the report of a missing adult or child, and if so, an expanded investigation will immediately commence.
 - In cases involving a missing child, existing response protocols will be activated (e.g. investigator callout or the AMBER Alert system reference the General Order pertaining to AMBER Alerts.)
 - In cases involving a missing adult, existing response protocols will be activated (e.g., investigator callout or the Endangered Missing Persons Alert or Silver Alert system reference the General Orders pertaining to these incidents.)
 - c. Determine whether the circumstances surrounding a person's disappearance are such that a heightened level of response is warranted.
 - d. Notify a patrol supervisor of the circumstances surrounding the disappearance of the missing person.
 - e. Conduct a thorough investigation, protecting any crime scene and documenting all relevant information, including witness information.
 - f. First responding officer should remain with the reporting person(s), if possible, when unusual circumstances are involved.
- C. The supervisor assigned to the report of a missing person shall:

- Obtain a briefing from the first responding officers and other agency personnel at the scene.
- Determine if additional personnel and resources are needed to assist in the investigation.
 - a. Coordinate additional personnel and resources (e.g., backup officers, neighbors, ICOPS).
- 3. Establish a command post if needed. The use of a missing person's home (even if the missing person is a child) is not permitted.
 - a. Organize and coordinate search efforts.
 - b. Manage media relations and establish a media staging area.
- D. The watch commander shall:
 - Obtain an assessment of the situation from the on-scene supervisor
 - Consider activating the AMBER, Endangered Missing Persons or Silver Alert Network system (refer to General Orders pertaining to these incidents) and/or other immediate community notification methods.
 - 3. Call out the Public Information Officer if necessary.
 - 4. Ensure that all required notifications have been made (communications, investigators, etc.)
- E. An officer assigned to the recovery or return of a missing person shall:
 - 1. Verify that the located person is, in fact, the reported missing person.
 - 2. In the case of a missing adult, inform the located person that he or she is the subject of a missing-person investigation.
 - 3. Notify the initial reporting person(s) of the well-being of the missing person. If permissible, also give reporting person(s) the whereabouts and contact information of the missing person who has been located only if the missing person consents.
 - 4. Arrange for intervention services (e.g., counseling, therapy, etc.) if needed in the case of a missing or abducted person who has been located.
 - 5. Arrange, in the case of a missing child or diminished adult who has been located (and who is not wanted on a warrant or other law violation), the return of the child or adult to their legal guardian or to an appropriate children's shelter or care facility.
 - 6. If the missing child or adult requires medical treatment (e.g., sexual assault exam, hypothermia, etc.) determine if IFD is needed at the scene or if the missing person can be transported by other means.
 - 7. Complete the appropriate supplemental reports and cancel all outstanding notifications.
- F. Jurisdictional conflicts are to be avoided when a person is reported missing. If a missing person either resides in, or was last seen in Irving, officers will immediately initiate the required reporting process. If a missing person resides in Irving and was last seen in another jurisdiction, but the law enforcement agency covering that jurisdiction chooses not to take a missing person report, this agency will assume reporting and investigative responsibility.

- G. Questions concerning parental custody occasionally arise in relation to missing child reports. It is the policy of this agency to accept the report of a missing child even if custody has not been formally established. Reporting parties are encouraged to obtain legal custody as soon as possible; however, since the safety of the missing child(ren) is paramount, members of this agency will open a case when it can be shown that the child is missing, without explanation, from his or her usual place of residence or other known place of care (daycare, school, etc.).
- H. An officer assigned to the report of an unidentified person, whether living or deceased, shall:
 - 1. Obtain a complete description.
 - Enter the unidentified person's description into the NCIC Unidentified Person File.
 - 3. Utilize all available resources to aid in identifying the person. (e.g., *The National Center for Missing & Exploited Children and state medical examiner's office*)
 - 4. Cancel all notifications after identification is confirmed and notify Communications and their supervisor.

318.05 Notification and routing on attempted child abductions

A. When the police department receives a report of an attempted child abduction, excluding attempted abductions by the child's "relative," as defined in § 20.01 Penal Code, notification must be made to the Missing Children's Clearinghouse within 8 hours. In such cases, the reporting officer will route the report to NCIC and the Communications supervisors and will telephone NCIC to assure timely notification.

318.06 Runaways

- A. Runaway reports will be made in ARS and routed to Youth Services after entering the child's information on NCIC.
 - 1. Runaway reports will be made only on juveniles between the ages of 10 through 16 who reside in Irving.
 - 2. Runaway reports will <u>not</u> be taken on married, divorced, widowed, or emancipated juveniles.
 - 3. Runaways located by officers will be detained and the proper paperwork and disposition made in accordance with General Order 310.00.
 - 4. If the juvenile has returned home prior to the offense/incident report being submitted to Records, the officer will document in the narrative that the juvenile has returned. If the report has been submitted, a supplement report clearing the original report must be completed. NCIC must be notified to cancel the entry.
 - 5. Runaways from Irving recovery centers will be handled as any other reported runaway regardless of the juvenile's hometown. Such runaways will be returned to the recovery center unless other arrangements are agreed upon by both the center staff and the parents. Runaways who repeatedly leave the recovery center may be released to Letot.
- B. Officers receiving information from an outside agency that a runaway has been located outside Irving should notify the parents or guardian immediately and Youth Services at the earliest opportunity. Should the runaway be found deceased, Youth Services will be notified immediately.

319.00 ARSON INVESTIGATIONS

319.01 Purpose

This policy provides guidelines for coordinating arson investigations with the Irving Fire Department (IFD).

319.02 Policy

The police department has the primary responsibility of investigating arson offenses that are coupled with any other crimes, or where another crime is suspected.

319.03 Coordination with the IFD

- A. The IFD has the primary responsibility of investigating arson offenses where no other crime was committed. However, members of the police department will provide support when so requested by members of IFD. Contact fire investigators through the "Alarm Office" at ext. 2308.
- B. The fire or police official in charge (depending on type of offense) at an arson crime scene will contact the ranking fire official at IFD's command car to coordinate efforts to preserve the crime scene.
- C. The officer in charge will coordinate with the IFD Commander for assistance with:
 - 1. Directing IFD personnel not to 'overhaul' (tearing down walls, ceilings, etc.) the crime scene until it can be processed for evidence
 - 2. Notification that 'substantial knockdown' has been achieved and CO2 levels are within safe limits (the fire is out and it is safe to enter)
 - 3. Requesting that no debris be moved or disturbed at the crime scene until it can be processed for evidence
 - 4. Requesting bodies be left uncovered
- D. Fire and police personnel will work closely with the arson investigator and crime scene officer(s) to promptly process the crime scene.
- E. Once the crime scene has been processed, the officer in charge will notify IFD that the scene is ready for "overhaul."
- F. For all arson incidents, the officer should confirm with IFD whether the arson investigator will initiate the report or whether the officer will initiate the report. If there is any dispute, the officer will take the arson report.

320.00 IDENTIFICATION OF SUSPECTS

320.01 **Purpose**

This policy requires a standardized photographic line-up and field identification process that enhances criminal investigations and minimizes misidentifications.

320.02 Policy

Officers will use the double-blind sequential format when presenting photographic line-ups to complainants and witnesses. If circumstances require any deviation from this format, officers will obtain approval from a supervisor.

320.03 Definitions

Blind Administrator: An investigator who presents a line-up with no knowledge of the suspect's identity

Field Identification/Showup: The presentation of a suspect to a complainant or witness in the field within a reasonable amount of time after the commission of an offense

Fillers: Non-suspect photographs

Sequential Line-up: An identification procedure in which line-up photographs are displayed sequentially.

320.04 Sequential Line-up Procedures

A. Preparing the Line-Up

- 1. Photographic line-ups will consist of six individual photographs.
- 2. One photograph of the suspect will be included in the line-up.
- The other five photographs will be comprised of individuals who are not connected to the offense under investigation and are referred to as filler photographs.
- 4. If multiple suspects are involved, they will each be presented in a separate photo line-up.
- 5. The suspect's picture will be randomly placed into the sequential order of the line-up. Investigators will vary the position of the suspect's picture from line-up to line-up.
- 6. All photographs included in the line-up should depict persons who are of the same general age, race, weight, and possess similar physical characteristics.

B. Presenting the Line-Up

- 1. The assigned investigator will prepare the line-up and transfer it to a blind administrator.
- 2. The blind administrator will present the line-up to the complainant/witness.
- Line-ups will be audio/video recorded.
- 4. Prior to presenting the line-up, the blind administrator will provide the complainant or witness with a copy of the Photographic Line-up Admonition form. The blind administrator

- will read the form aloud and determine if the complainant/witness understands it. The complainant or witness will then be asked to sign and date the form.
- 5. The blind administrator will avoid actions or comments that could influence the complainant/witness as they view the line-up.
- 6. If the complainant/witness identifies a suspect, they will sign and date the back of the selected photograph.
- 7. The blind administrator will not comment on the accuracy of the identification. The complainant/witness will merely be told that the investigation will continue.
- 8. A record of the line-up will be made and preserved in its original condition for judicial purposes.
- 9. If there are multiple complainants/witnesses:
 - a. Each complainant/witness will be given instructions regarding the identification process and presented with the Photographic Line-up Admonition form without other complainants/witnesses present.
 - b. Each complainant/witness will view the line-up separately.
 - c. The suspect's photograph will be placed in a different position in the line-up for each complainant/witness.
 - d. Complainants/witnesses will be kept separated and given no opportunity to confer with one another until all identification procedures have been completed.
- 10. If multiple suspects are involved, each line-up that is presented to the complainant/witness will have different filler photographs.

320.05 Field Identification

- A. Situations Requiring Field Identification
 - 1. Because of their inherent suggestiveness, field identifications should be avoided in most cases. However, circumstances are not always conducive to preferable identification techniques and sometimes necessitate the use of a field identification. When these situations arise, the following conditions should be present before conducting a Field Identification:
 - a. The suspect is detained within a reasonable amount of time of the offense.
 - b. A lineup cannot be promptly arranged.
 - c. There is an immediate need to arrest the suspect.
 - 2. A suspect will not be subject to a field identification when probable cause to arrest the suspect exists.
- B. Field Identification Procedures
 - 1. The identification process will be audio/video recorded.
 - 2. A detailed description of the suspect should be obtained from the witness prior to conducting a field identification.

- 3. The witness should be transported to the suspect's location.
- 4. The suspect should be presented to the witness only one time.
- 5. If there are multiple suspects, they should be separated and subjected to separate field identifications.
- 6. If there are multiple witnesses to the offense, only one should participate in the field identification. If a positive ID is made, the other witnesses should be shown a photographic lineup.
- 7. The following measures should be taken to minimize the suggestiveness of the process:
 - a. Remove the suspect from the squad car.
 - b. When practical, remove handcuffs from the suspect.
 - c. Do not require the suspect to put on any clothing that was worn by the perpetrator, make any statements that were made by the perpetrator, or perform any actions that were performed by the perpetrator.
 - d. Avoid making any actions or comments that could possibly influence witnesses as they view the suspect.
- 8. If a positive identification is made and the suspect is arrested, the arresting officer will leave the case pending and ensure that CID is notified.

321.00 FAMILY VIOLENCE

321.01 Purpose

This policy establishes guidelines for officers when investigating family violence.

321.02 Policy

This agency will have a proactive, pro-arrest approach in responding to family violence. An arrest should be the first option exercised by officers who establish probable cause that family violence has occurred. Officers will make every effort to identify the aggressor in a family violence situation and avoid arresting both/all parties as mutual combatants. Officers are reminded that self-defense against an aggressor constitutes neither mutual combat nor an act of family violence.

321.03 Definitions

Verifiable History: A record in NCIC, TCIC, ARS, CAD, or City of Irving court records that documents a person's prior involvement in a family violence incident.

321.04 Enforcement Procedures

- A. When a family violence assault has occurred, and the actor is at the scene, an arrest will be made when there is probable cause to believe that:
 - 1. A felony assault or an assault causing bodily injury has occurred; or
 - 2. A class C misdemeanor assault has occurred, whether verbal or physical, and the officer believes that further violence may occur;
 - a. In determining whether to make a custodial arrest for a class C verbal or physical assault, the officer will consider the following factors:
 - i. The imminence, severity, and credibility of the actor's threats
 - ii. The demeanor of the parties and their extent of cooperation with the suggestion to separate from each other;
 - iii. Whether either party has a Verifiable History of committing family violence assaults:
 - iv. Whether there is a known pattern of disturbance calls involving the same parties; and
 - v. Any other factor reasonably related to the protection and best interest of the victim and the family.
 - b. If the officer determines that, though probable cause exists, a custodial arrest for class C verbal or physical assault is not warranted, practical or necessary under this policy, the officer shall issue the offender a citation for class C assault.
 - i. If the offender is not present the victim is to be referred to the City Attorney for prosecution.

- c. If the credibility of the allegation is questionable, the officer may refer the victim to the City Attorney for prosecution.
- B. If a family violence arrest is made and the victim requests an Emergency Protective Order (EPO) or the officer believes that the victim needs protection, the arresting officer will notify the jail supervisor. The jail supervisor will notify a Domestic Violence Section supervisor about the EPO request.
- C. Deviations from this policy must be approved by a supervisor.

321.05 Reporting

- A. Offense reports are required when an officer investigates incidents involving family violence or violation of a protective order.
- B. The following supplements are required for every family violence report:
 - 1. The Domestic Violence Narrative Supplement (Narrative Template: DVSUPP); and
 - 2. The Texas DPS FAMILY VIOLENCE REPORT form.
- C. Officers shall provide any possible adult victim with the *NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE* form (# 04272) in accordance with CCP 5.04.

321.06 Protective Order

- A. A Protective Order is issued by a court that finds family violence occurred and is likely to occur again. The Order may prohibit or require specified acts to prevent or reduce the likelihood of family violence. The Order usually lists the names of persons involved and the length of time the Order is effective.
- B. Protective Orders may be temporary, emergency, or final, and must contain a statement of possible punishment for violation of the Order.
 - 1. Temporary Ex Parte Protective Order: A temporary ex parte protective order is criminally enforceable only if the defendant has been served with the order.
 - a. A Temporary Ex Parte Order is valid for the period specified in the order, not to exceed twenty (20) days, but may be extended for additional twenty (20) day periods.
 - b. An officer may not arrest a person for violating a temporary ex parte protective order unless there is proof that the defendant has been served with the order. Caution: Proving that a defendant has been served with the order may be difficult because there is no database available to verify personal service. Confirmation of service can be proven by showing certified documents issued by the court or by the clerk of the issuing court.
 - c. If an arrest is not made an offense report for Violation of Protective Order shall be completed and routed to the Domestic Violence Unit, making specific note of the court that issued the Temporary Ex Parte Order.
 - d. Arrests for violating a temporary ex parte protective order require supervisor approval

- 2. Final Protective Order: Violation of a Final Protective Order is a crime and an arrest is mandatory.
- 3. Emergency Protective Order: An Emergency Protective Order is enforced the same as a Final Protective Order. Issuance will generally be made through the Domestic Violence Section.
- C. Prior to making an arrest for Final or Emergency Protective order, officers should confirm that a copy of the Order is on file with the Communications Section. A certified copy of an Order presented at the scene is also acceptable.

321.07 Family Violence Shelter (Brighter Tomorrows, Inc.)

- A. The City of Irving has contracted Brighter Tomorrows, Inc. to manage and operate a shelter for family violence victims.
- B. Brighter Tomorrows accepts victims of domestic violence and their children, up to age 17, depending on space availability.
- C. Victim sheltering arrangements at Brighter Tomorrows must be made in advance by calling the twenty-four hour intake hotline at (972) 262-8383.
 - 1. Officers may take a victim to the shelter after contacting the Brighter Tomorrows hotline and obtaining their approval.
 - 2. Officers will not give victims or other parties the address of the shelter.
- D. During normal business hours, Brighter Tomorrows representatives may prefer to pick up their clients from the CJC lobby or the Family Advocacy Center.
 - Brighter Tomorrows will not allow clients to come to the shelter unescorted.
- E. In the event Brighter Tomorrows is unable to accept a client for shelter, a list of the local domestic violence shelters is located on the Notice to Adult Victims of Family Violence Form. Officers may assist victims in seeking out shelter services. Each shelter has hotline staff available to provide instructions to the victim and/or the officer about their intake procedures.

322.00 BODY WORN CAMERAS

322.01 Purpose

This policy establishes guidelines for the use, management, storage, and retrieval of audio-visual media recorded by body worn cameras (BWCs).

322.02 Policy

Officers issued BWCs shall use them as tools for documenting citizen contacts, to aid in prosecuting criminal cases, and to protect the officer and department from misconduct allegations and liability. This policy does not govern the use of surreptitious recording devices used in undercover operations.

322.03 Confidentiality

All digital multimedia evidence that is captured during the scope of an officer's duties is the property of the police department and shall not be viewed, converted or copied for personal use. Accessing, copying, editing, erasing, or releasing recordings or depictions of recordings without proper approval is prohibited and will subject the offending employee to disciplinary action, up to and including termination. Releasing BWC recordings without authorization is a Class A misdemeanor. Tex. Occ. Code § 1701.659.

322.04 Procedure

A. Equipment and Recordings

- BWCs are intended for official use only and are not to be used for frivolous or personal activities.
- Employees will only use audio and video recording equipment issued and approved by the department for official police duties. The use of any other personal audio or video recording equipment is not authorized without written permission from the chief of police.
- 3. Employees shall not attempt to make unauthorized copies of recordings, tamper with or in any manner alter BWC recordings or equipment.
- 4. Citizens are not permitted to view recordings in the field.

B. Officer Responsibilities

- 1. Officers who use a BWC shall attend familiarization training and demonstrate proficiency with recording and downloading recorded data.
- 2. Officers shall operate and maintain the BWC in accordance with the manufacturer's recommendations and department training.
- Officers shall wear the BWC on the exterior of the outermost layer of the uniform, and shall use their assigned BWC when performing law enforcement duties, including secondary police service jobs performed while in uniform.
- 4. At the beginning of each shift, officers shall inspect the BWC to ensure it is charged and functioning properly.
- 5. Officers shall immediately report to a supervisor any problems preventing the use of their assigned BWC during their shift.

- 6. Recordings may be reviewed:
 - a. By officers for the purpose of case preparation, report writing, and prior to making a statement about the incident, to include the response to an internal investigation.
 - b. By a supervisor as a part of the quarterly review or when investigating a specific act of employee conduct.
 - c. By authorized personnel participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation.
- 7. Officers are required to upload BWC data daily at the end of their shift, or more frequently when necessary to maintain adequate recording capacity on the device.
- 8. Using the approved software, officers shall categorize any video related to a criminal or traffic case, fleet accident, pursuit, use of force, or possible complaint. Officers may also categorize recordings that may be useful for training purposes. All files containing data that has any evidentiary or administrative value will be categorized within seven (7) days of the recording date.
- Requests to delete accidental recordings must be submitted in writing and approved by the division commander.
 - The written documentation authorizing a deletion shall be kept in accordance with the state records retention schedule.
 - b. The reason for deleting the video and the approving division commander's name shall be recorded in the chain of custody report.

C. When recording is required

- Officers shall activate the BWC to record audio and video to document most citizen contacts. Officers are expected to use the BWC when interacting with citizens unless recording is discretionary or prohibited under this policy. Recording is required under the following circumstances:
 - a. All enforcement and investigative activities
 - b. Emergency response calls
 - c. Pursuits
 - d. Uses of force
 - e. Forced entries
 - f. Searches
 - g. Any other incident when its use would be appropriate or valuable
- 2. Once the BWC is activated for an event that requires recording, the recording shall continue until the conclusion of the event; however, officers may stop recording a victim or witness interview if doing so will elicit further cooperation from the victim or witness and their cooperation is critical to the investigation.

- 3. The audio portion of the recording may be temporarily deactivated to confer with a supervisor, PTO, or other officers to discuss tactics and strategies outside of the presence of others in the video.
- 4. When practical, officers should record evidence gathering procedures (e.g., DWI blood draws) and investigative interviews with victims, witnesses and suspects in hospitals and ambulances; however, the following exceptions apply:
 - a. Officers will use their best judgment to balance the need for obtaining the video footage against the person's privacy interests, taking into consideration the severity of the offense, the recording's evidentiary value, the invasive or embarrassing nature of the medical treatment or discussion, and the likelihood that recording the encounter would be considered unreasonably intrusive.
 - b. Officers will not intentionally record any third party's private health information without consent; and
 - c. When practical, officers should stop recording or leave the room while a victim, witness or suspect undergoes medical treatment unrelated to the investigation or discusses with hospital staff or paramedics private health information not relevant to the investigation.
- 5. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts a required recording, the officer shall document in the CAD call notes, the ARS report, or internal correspondence associated with the incident the reasons why a recording was not made, was interrupted or was terminated.
- 6. Officers may inform people that they are being recorded if it gains compliance, assists in the investigation, and does not interfere with the investigation or officer safety.
- 7. When recording suspect statements procured by custodial interrogation, officers will comply with the provisions set forth in Art. 38.22, Texas Code of Criminal Procedure.
- D. When recording is discretionary:
 - Officers have discretion to record or not record incidental citizen contacts and consensual encounters.
 - a. If reasonable suspicion or probable cause arises from a consensual encounter, or if the encounter becomes confrontational, officers must begin recording and continue recording until the encounter concludes.
 - b. If an officer decides to stop recording a consensual encounter, the reason for stopping the recording should be documented on the recording prior to turning off in the camera, if practical.
 - c. Officers must document in writing the reason for stopping the recording in the call CAD notes, field interview report, or ARS report.
- E. When recording is prohibited:
 - 1. Employees shall not surreptitiously record other employees without written permission from the chief of police.
 - 2. The BWC shall not be used for reasons other than legitimate law enforcement purposes.

- 3. The BWC shall not be used in places where a heightened expectation of privacy exists, such as locker rooms, dressing rooms, or restrooms, except as reasonably necessary for an investigation.
- 4. The BWC shall not be used to record strip searches.
- 5. Officers shall not record encounters with undercover officers or confidential informants.

F. Supervisor Responsibilities & Administrative Review

- 1. Supervisors are responsible for ensuring that officers are using the BWC in accordance with state law and this policy, and for verifying that the equipment is functioning properly.
- 2. Supervisors who become aware of malfunctioning equipment will see to it that repairs are made in a timely manner.
- 3. Supervisors will perform a minimum of three (3) random reviews of their officers' recordings per quarter (3 months), to assess performance and to identify recordings that may be appropriate for training.
 - a. Minor policy violations discovered during routine reviews should be treated as training opportunities and not necessarily cause for disciplinary actions.
 - b. Repeated minor policy violations following informal counseling or training should be handled through the regular disciplinary process.
 - c. Serious policy violations, misconduct or criminal infractions discovered during routine reviews shall be reported immediately in accordance with the department's discipline policy.
 - d. Division commanders or Training Academy supervisors may approve duplicating a video for training purposes. All employees will be notified prior to the video being used for training. If an involved employee objects to showing a recording, their objection will be submitted to the Administrative Services Bureau Chief to determine if the training value outweighs the employee's objection.
- 4. Officers are entitled to access all recordings of an incident under administrative review before making a statement or responding to an internal investigation about the incident.

G. File Storage

- 1. All files shall be securely uploaded no later than the end of each shift by placing the BWC into the assigned docking station slot on the evidence transfer station.
 - a. Placing the BWC in the docking station will automatically upload recordings and transfer the data to Evidence.com.
 - b. The BWC should not be removed from the evidence transfer station until all the data has been uploaded and the battery has been fully recharged.
- 2. All access to BWC data (images, sounds, and metadata) not addressed by this policy must be specifically authorized by the chief of police.

H. File Retention

1. Files should be securely stored in accordance with the state records retention schedule and no longer than useful for purposes of training or for use in a criminal investigation, prosecution, post-prosecution appeal, or an administrative investigation.

- 2. Uncategorized video files shall be retained for 90 days.
- 3. Videos categorized as "possible complaint" shall be retained for 180 days.
- 4. Videos categorized as "citizen complaint" shall be retained for 180 days.
- 5. Videos categorized as "use of force" or "fleet accident" shall be retained for 2 years.
- 6. All other video files shall be kept in accordance with the State of Texas retention schedule.
 - a. Files related to Class C misdemeanors shall be stored for 1 year.
 - b. Files related to Class A and B misdemeanors (except DWI offenses) and State Jail Felonies shall be stored for 3 years.
 - c. Files related to DWI offenses and second and third-degree felonies shall be stored for 10 years.
 - d. Files related to first-degree and capital felonies shall be stored for 50 years.
 - e. Files related to an administrative, criminal, or deadly force investigation of an officer shall be stored until all matters have been finally adjudicated and all related administrative investigations have concluded.

323.00 PROPERTY AND EVIDENCE

323.01 **Purpose**

This policy provides employees with guidelines for the proper handling of property and evidence.

323.02 Policy

Property/evidence seized by employees will be turned over to the Property Room as soon as practical. All property/evidence turned into the Property Room will be maintained until released to the owner, the courts, or ordered to be forfeited or destroyed.

323.03 Definitions

Bar Code: The bar code is the inventory control sticker printed out by the officer at the time the evidence is placed in the Property Room. The bar code's item number should correspond to the item number in the ARS report and on the property label.

Property Label: The property label is the label that is affixed to a property bag or piece of bulk property that contains the item's AR number, the item number, the seizing officer, and the date.

Property Report: A property report is a report completed in ARS that documents that an item was seized and placed into the Property Room.

323.04 Procedures

- A. Employees will turn in to the Property Section only property/evidence that clearly has evidentiary value or may lead to the identification of an actor/owner. Found property or property for safekeeping will not be seized if it has no obvious value, appears abandoned, and lacks identifiers that may lead to determining ownership. (See Property Section SOP 500.11 A.1)
- B. Evidence unlikely to lead to the identification of a suspect in a property crime or narcotics case will be destroyed after 90 days if there are no suspects and the report is suspended.
- C. Employees will check all items with serial numbers on NCIC before placing them in the Property Room. Stolen items will be confirmed and documented in the property report.
 - 1. Property that is believed to be stolen and seized from a suspect will be placed in the Property Room as evidence if the rightful owner is not immediately evident.
 - 2. If the rightful owner of the property is not able to be determined, the property will be held for 30 days before being disposed of pursuant to CCP 18.17.
 - 3. If the suspect tries to claim the property as his/her own, the legal advisor will be notified before disposition is made.
- D. Property/evidence will be turned in without delay and no later than the employee's end of shift unless prior approval of a supervisor is obtained.
- E. Property/evidence will not be permanently stored in any employee's desk, file cabinet, vehicle, locker, or home.
- F. Except for examination, release, or transportation to the crime lab, an officer may check out evidence only when actually en-route to the court where the evidence is to be presented. If the

court does not retain the evidence, it must be returned to the Property Room as soon as possible. It is not permissible to retain evidence overnight, or to store it anyplace other than the Property Room.

- 1. Exceptions: Criminal Investigation Division SOP will cover the following exceptions:
 - a. Forged Checks
 - b. Suspected pornographic tapes
 - c. Computers to be evaluated by the Electronic Evidence Unit
- G. All property/evidence turned in requires an ARS report.
- H. Employees will complete a property label and a bar code and affix both to the property/evidence.
 - 1. When money is found or seized as evidence for safekeeping or investigation of civil forfeiture, the money will be counted, packaged, and handled in accordance with G. O. 324.
 - 2. The seized money label and bar code will be completed and affixed to the outside of evidence bag.
- I. Property/evidence received by the Property Section will be invoiced, stored, released, or disposed of in accordance with the Technical Services SOP.

323.05 Evidence in Pawn Shops

- A. Ordinarily, officers will not seize stolen property from pawn shops unless a CID supervisor authorizes an exception. Officers will notify the property owner and advise him/her of their options to:
 - 1. Contact a magistrate for a hearing to determine who has greater right of possession; or
 - Contact the pawn shop and pay the charges.
- B. Officers will place a written hold on stolen property located in pawn shops. CID has form "hold" letters available for this purpose.

323.06 Bicycles

- A. Between the hours of 8:00 AM to 5:00 PM, Monday through Friday, the officer will request the bicycles to be picked up by the Property Section. If stolen, the officer must remain with the bicycle until pick up and complete IPD Property Report.
- B. Stolen bicycles must be picked up by either the Property Section at the time of recovery or taken to the station by the officer.
- C. If the Property Section is not available to pick up a found bicycle and the complainant agrees, the bicycle will be left for the Property Section to pick up the next working day. The officer will advise the dispatcher of the location.

323.07 Vehicles

A. All motor vehicles, motorcycles, motor scooters, mini-bikes, engines, transmissions, chassis, frames, dune buggies, trailers, and boats impounded pursuant to the guidelines listed in the General Order pertaining to Vehicle Impoundment / Hold / Inventory Procedure will be transported by the city contract wrecker and stored at the city pound.

323.08 Drugs

- A. Officers seizing drugs should describe the substance in the property report. All drugs should be counted / weighed and the property label and the bar code affixed to the evidence bag. This information will be noted in the property report description line.
- B. Drugs will be packaged and handled in accordance with existing SOP's.

323.09 Releasing Property

- A. Recovered Stolen Property
 - 1. Recovered stolen property, other than cash, which is readily identifiable and for which there appears to be no dispute as to ownership, may be released to the owner upon proper authentication of ownership.
 - a. When returning recovered stolen property to the owner in the field, officers will clearly identify the recipient by a photo ID and record the release on the in-car camera system, or body worn camera, specifically identifying the property and the person it was released to. The release is to be noted in the offense report.
 - b. The officer will save the recording for 90 days or the retention period applicable to the case. Officers are required to categorize the video and ensure the appropriate case number is assigned.
 - c. If it is not possible to verify the identity of the property owner, the property will be placed in the Property Room as evidence.

B. Shoplifting Offenses

1. Officers should refer to the Patrol SOP for current policy on releasing/photographing recovered retail property.

C. Cash

- 1. Generally, no money seized by this department will be released without a court order.
- 2. In the event that no criminal action is pending or contemplated, a complainant seeking return of allegedly stolen money should be referred to the legal advisor.
- 3. If a case is pending, whether in city or county court, a victim seeking the return of money should be referred to the court with jurisdiction over the case.

D. Unidentifiable Property

1. Property that is difficult to identify, (e.g. loose diamonds, gold coins, etc.,) should not be released without the legal advisor's approval.

E. Disputed Ownership

1. If ownership is questionable, or if the defendant claims any interest in the property, the property should not be released to anyone without a court order.

F. Found/Safekeeping Property

- 1. Found or property seized for safekeeping may be released to the owner.
- 2. Found property may be claimed by the finder per this policy.

G. Contraband/Drugs

1. Items that are illegal to possess will not be released to the owner. Disposition of such items will be pursuant to Technical Services SOP or court order.

H. Copper and other Scrap Metals

- 1. Copper and other scrap metals that are seized in relation to a criminal investigation will be photographed by the seizing officer and released back to the owner.
- 2. If the owner is not known or cannot be located, the officer will photograph the property and place the property in the Property Room and will note on the report the owner's information. The Property Room personnel will attempt to notify the owner the next business day to retrieve the property.
- 3. If an owner cannot be located or refuses to retrieve the property within 30 days, the property will be sold.

323.10 Reclaiming Found Property

- A. If the original finder of property wants to claim the property the following guidelines should be followed
 - 1. The seizing officer will notify the finder at the time of seizure that there is a statutory 30-day waiting period and that the finder must contact the Property Section after 30 days to claim the property. No notification will be sent to a finder of property.
 - 2. Employees should link in the property report the finder(s) to the found property and note that the finder requests the property if the owner is not located.
 - 3. Found property that is not claimed may be sold at auction. This process usually takes from five days to two weeks after the 30-day waiting period; therefore, finders must make claim for the property as soon as possible.
- B. This policy does not apply to department employees, who are prohibited from claiming such property.

323.11 Explosive, Volatile, or Toxic Property

A. Explosive, volatile, or toxic property will not be stored in the police Property Room. Disposition of these types of property will be pursuant to the Property Room SOP.

323.12 Firearms

- A. Firearms turned in to the Property Section will be unloaded and will have the breech open, slide back, or cylinder open (if feasible) when presented to the property assistant.
- B. The property assistant will be notified of firearms that cannot be unloaded.
- C. The property assistant will notify department armorer.

323.13 After Hours Evidence Lockers

- A. To secure property or evidence (excluding drugs or volatile substances), personnel will place the property/evidence in an evidence locker and complete the property tab on the ARS report or the property report. Items should be transferred into RMS and have the appropriate bar code attached. Locks to secure the property/evidence are located inside the unused lockers. Items too large to store in these lockers will be secured in the property holding room located at the Property Room loading dock. Access to this room may be obtained through Central Control.
- B. Property assistants are responsible for removing property from evidence lockers. Keys are restricted to authorized personnel.
- C. Property/evidence will not be left unattended on the property counter.

323.14 Photographic Evidence

- A. Photographs of crime scenes are considered evidentiary and require strict adherence to standardized chain of custody procedures in order to maintain the integrity of criminal cases and to protect the privacy of victims.
- B. Photographs of crime scenes are police department property and cannot be disseminated to third parties for any reason other than criminal prosecution, compliance with subpoenas, or public information requests approved by the legal advisor.
- C. Digital or other photographic evidence will be stored only in accordance with the property and evidence policy.
- D. Digital photographic evidence will be stored only on police department data storage devices and computers. Conversion for personal use or storage of such images on personal electronic devices, computers or by any other means is expressly prohibited.
- E. A division commander may approve exceptions to this policy for training or other legitimate purposes.

323.15 Drivers Licenses

- A. Personnel coming into possession of a driver's license or state-issued ID card may drop the item into any public U.S. Postal Service mailbox for return to the owner. No report is necessary.
- B. A driver's license or ID card seized as evidence will be placed in the Property Room and a property report will be completed.
- C. A driver's license or ID card seized due to revocation or suspension does not require a property report. The officer will place it in an envelope marked "Return to DPS," and submit it with the completed case.

D. Personnel who inadvertently retain a driver's license or ID card after a citizen contact will make a reasonable attempt to contact the owner and return it if the resident is local. If unsuccessful, the item will be delivered to the Property Room (no property report is necessary). If the item remains unclaimed for ten days, property personnel will deposit it in a mailbox as outlined in this policy.

323.16 Property Room Inspection/Inventory

- A. The property and evidence functions and procedures will be inspected at least every six months.
 - 1. Professional Standards will appoint supervisors not assigned to the Property Room to perform the inspection.
 - 2. The inspection will concentrate on policies, practices, and procedures to verify that they are being followed.
 - A sample of 3-5 items should be identified and tracked to determine if they were properly entered and stored.
 - 3. A written report of the inspection will be forwarded to the chief of police for review and signature.
- B. A Property Room audit will be conducted annually and when there are Property Room personnel changes.
 - 1. At a minimum, the inventory will consist of all guns, drugs, and money in the Property Room and a random sample of 50 other items.
 - 2. The inspectors should compare the intake paperwork for all the guns, drugs, and money, against the items in the Property Room.
 - 3. The audit of the other items should be done in two parts. The first part is done by randomly selecting the paperwork for 25 items and locating them in the Property Room. The second part consists of randomly selecting 25 of the items from the Property Room and locating the item's paperwork to test the record keeping system.
 - 4. Personnel not assigned to the Property and Evidence Section will conduct the audit. Professional Standards will forward to the chief of police a written report of the findings. Any discrepancies revealed by the inventory will result in an immediate investigation.
 - 5. A written report of the inventory will be forwarded to the chief of police for review and signature.

323.17 Property Room Security

- A. Access to the Property Room is restricted for unauthorized personnel unless escorted by authorized personnel.
 - 1. Authorized personnel include personnel assigned to the Property Room and specified in the Property Room SOP.
- B. All personnel that enter the evidence areas of the Property Room will sign in upon entry and exit. Sign in will include name, times, and reason for entry.

324.00 CASH SEIZURE VERIFICATION

324.01 **Purpose**

This policy establishes procedures for verifying seizures of cash and/or negotiable securities.

324.02 Policy

Seizures of cash and negotiable securities of more than \$20.00 will be verified before being placed in the Property Room.

324.03 Procedures

- A. Cash and negotiable securities should be processed at the CJC or North Station. If the cash or securities are to be processed at another location, a division commander will be immediately notified prior to processing.
- B. Evidence processed at the CJC in the amount of more than \$20.00 is to be placed in the drop safe. Amounts \$20.00 or less will go into general evidence.
- C. Evidence processed at the North Station should be placed in the evidence lockers at the North Station if the amount is less than \$100.00. Amounts \$100.00 and more should be processed and stored at the CJC.
- D. When cash and negotiable securities are turned in at the CJC during Property Room business hours, a property assistant will verify the count in the presence of the officer and accept amounts of \$20.00 or less.
 - 1. If the amount is more than \$20.00 the officer will place it in the drop safe.
 - 2. If the Property Room is closed, another officer will verify the count before money is placed in the drop safe.
 - 3. Amounts of more than \$1,000.00 require a sworn police supervisor to verify the count.
 - 4. Amounts of more than \$5,000.00 are to be processed using a currency counting machine at a local bank. For amounts thought to be more than \$5,000:
 - a. The seizing officer will notify a sworn police supervisor. The supervisor will respond and confirm the money is to be seized.
 - b. The responding supervisor will ensure that a minimum of two Irving officers will be present from the initial seizure until the time the currency or a certified check from a bank for the amount of currency is placed in property.
 - c. The currency will be placed in the currency evidence bag, then sealed and transported to a local bank for counting.
 - d. Special Investigation Section supervisors or investigators will be called to assist in the process of counting and securing the currency.
 - e. If the seizure occurs after banking hours:
 - A minimum of two officers will be present at the seizure and will escort the seizure to the Property Room

- ii. The seizure will be sealed in a currency evidence bag and tagged "To be counted."
- iii. At least two SIS investigators will take the seizure to a local bank to be counted the next business day. After counting at the bank, the original seizure or a cashier's check for the total amount of the seizure will be returned to the Property Room by the same officers who checked out the seizure.
- E. Cash and negotiable securities \$5,000 and less will be sealed in a currency evidence bag.
 - 1. Each denomination and quantity will be listed on the front of the bag. The special bags for cash, with the "stick-on" labels already attached, are provided at the Property Room work counter at the CJC and at the North Station.
 - 2. Only cash and negotiable securities will be placed in the currency evidence bag. Wallets, purses, or other containers will be processed separately.
- F. Law enforcement agencies that request the Irving Police Department's assistance in executing a search or arrest warrant within our city limits will be notified by the Irving supervisor in charge that our department policy requires that cash seizures of more than \$5,000 are counted at a bank before the currency leaves our city.
 - 1. If an outside agency seizes the money, a sworn Irving supervisor will verify the count and seal it in a currency evidence bag as outlined in "D" above.
 - 2. The sealed bag will be opened only when two or more officers are present. If an outside agency is involved in the seizure, the bag will be opened only when representatives of both departments are present.
 - 3. Two officers, including one sworn Irving officer, will be present during any handling, transportation, or re-counting of seized cash or negotiable securities.
 - 4. If an agency chooses not to comply with our request to assist in obtaining an accurate count, and they have a warrant directing them to seize the property, the money will be released to the seizing agency. Our department will not participate in subsequent verification attempts nor assist in hand counting. The Irving supervisor will forward a report to the appropriate bureau chief, documenting the facts and circumstances.

325.00 TACTICAL TEAM CALL OUT

325.01 Purpose

This policy provides guidelines for calling out the Tactical Team.

325.02 Policy

A watch commander or higher-ranking officer may call out the Tactical Team when reasonably necessary to safely bring an incident under control or to effectively manage personnel resources during a long-term incident.

325.03 Procedure

- A. Situations that may require the Tactical Team:
 - 1. High risk apprehension
 - 2. Hostage situations
 - 3. Barricaded persons/sniper
 - Riot/crowd control
 - Stakeouts
 - 6. Long-term police incidents
 - 7. Operational manpower shortages created by critical incidents
- B. The Tactical Team Commander or designee is responsible for assembling and directing the team during the operation.
 - 1. Contact will be maintained with the command post at all times.
 - 2. Once the Tactical Team has taken control of the inside perimeter, no officers will enter the area unless specifically authorized by a Tactical Team Supervisor.
 - If additional officers are needed to supplement the Tactical Team, the command post will be notified, and additional officers will be assigned to the Tactical Supervisor for deployment.
- C. A Tactical Supervisor will maintain the inside perimeter.
- D. A Tactical Supervisor will formulate a plan of action on the use of tear gas and/or entry into the area containing the suspect and/or hostages. This plan will be submitted to the Tactical Team Commander and activated only on orders of the Tactical Team Commander.

326.00 HIGH-RISK APPREHENSION

326.01 **Purpose**

This policy establishes guidelines for high-risk and inter-jurisdictional apprehensions.

326.02 Policy

High-risk and inter-jurisdictional apprehensions will be approved by a watch commander, tactical commander or a higher ranking command staff member and will only be conducted after the proper planning and meetings of all personnel involved.

326.03 Definition

High Risk Apprehension: A planned arrest in which there is a reasonable belief that the person(s) to be apprehended may be armed or intent on resistance

Inter-jurisdictional High-Risk Apprehension: A high-risk apprehension involving more than one law enforcement agency

326.04 Procedures

- A. A pre-operation meeting involving all participants in the operation is required in order to familiarize everyone with all officers who may participate in the arrest or who are in any way connected with the operation.
 - If any undercover officers or informants is at the scene of the operation and cannot be withdrawn, they will be described to all participants by photograph and a clothing description.
- B. All officers that participate will either be in uniform or will wear distinctive clothing identifying them as peace officers. This clothing should have large contrasting letters which are visible from front and back identifying the wearer as a peace officer. The Property Room has raid jackets available for this purpose. This clothing should be shown to all participants for familiarization during the pre-operation meeting. Distinctive clothing will be worn throughout the course of the operation.
- C. All officers who assist will wear body armor. The Property Room has body armor available for this purpose.

326.05 Inter-Jurisdictional High-Risk Apprehension Procedures

- A. Operations outside Irving's jurisdiction
 - 1. Before conducting a high risk apprehension in another jurisdiction, the officer in charge will notify the agency of jurisdiction by contacting its communications division or emergency number of that agency.
 - 2. The following information should be given to the jurisdictional agency:
 - a. Whether or not assistance is required
 - b. Number of officers needed

- c. Number of officers involved
- d. Whether the officers involved are in plainclothes or uniform
- e. Whether marked or unmarked vehicles are being used
- 3. If Irving requests assistance from the agency of jurisdiction, the following guidelines will be followed:
 - a. Irving personnel will be under the overall command of the ranking officer of the jurisdictional agency unless this command is relinquished to the Irving officer in charge.
 - b. The Irving officer in charge may, at their discretion, withdraw their personnel or equipment prior to beginning the joint operation and will notify the commander of the jurisdictional agency of their intentions to withdraw.
 - c. If a tactical team is used to make initial entry, the jurisdictional agency's tactical team will be used, unless the jurisdictional agency requests the use of the Irving Tactical Team and prior arrangements have been approved by a division commander to use the Irving Tactical Team.
 - d. Only one agency will be involved in the initial entry. After initial entry, when the situation is contained, support personnel may then be admitted entry by the ranking officer of the tactical team.
- B. Outside Agencies Operating Within Irving City Limits
 - 1. If an outside agency requests assistance in effecting a high-risk apprehension within the Irving city limits, the following guidelines will be followed:
 - a. The requesting agency personnel will be under the command of the Irving officer in charge.
 - b. Only the Irving Tactical Team will be used for initial entry. Any exceptions to this policy must be made by the Field Operations Bureau Chief or by the chief of police. The tactical officer in charge will control entry into the area.

327.00 OPERATIONS OUTSIDE IRVING CITY LIMITS

327.01 Purpose

This policy provides guidelines for operations that occur outside of the Irving city limits.

327.02 Policy

Supervisors in charge of conducting an operation outside the Irving city limits will notify the agency in the jurisdiction where the operation occurs.

327.03 Procedures

- A. Any time police personnel serve an arrest warrant or search warrant outside the City of Irving, they will notify the watch commander, as well as local law enforcement officials in that jurisdiction of the nature of the operation, the number of officers involved, and whether they are uniformed or non-uniformed, vehicles involved, and the duration of the operation.
- B. Operations that might involve a high-risk apprehension are governed by the High-Risk Apprehensions General Order.
- C. Additionally, officers who go out of Dallas County to affect an arrest will comply with the Adult Arrest Policies General Order.

328.00 NOTIFICATION OF SERIOUS INCIDENTS

328.01 **Purpose**

This policy defines instances when the chief of police and staff members are to be notified.

328.02 Policy

The chief of police and certain staff members will be notified when serious incidents occur.

328.03 Chief of Police & Staff Members

- A. The chief of police, assistant chiefs, and captains will be notified of the following serious incidents while on duty or during off-duty hours, through e-mail and/or the automated notification system (Italicized and underlined events denote mandatory call-out of Professional Standards and legal advisor.)
 - 1. Officer killed in the line of duty
 - 2. Serious injury to any officer in the line of duty
 - 3. Officer-involved shooting
 - 4. The discharge of a weapon on or off-duty, (except for training and recreation)
 - 5. Barricaded person or hostage situation that involves death, injury, or shooting at officers
 - 6. Mass casualty incidents
 - 7. Death of a police employee
 - 8. Serious misconduct by an employee
 - 9. Any other incident the on-duty ranking officer determines that immediate notification is necessary
- B. The on-scene supervisor will ensure that Professional Standards and the legal advisor are notified, and other key personnel are notified when applicable. The on-scene commander should relay instructions to responding personnel through the Communications Section.
- C. The on-duty ranking officer will notify the division commander. The division commander will notify the bureau chief, who will notify the chief of police. Should the division commander not be available, any bureau chief will be notified. If none of the bureau chiefs are available, the chief of police will be notified.

328.04 Employee Representative Group

- A. As a courtesy to our employees, a representative of the Irving FOP Lodge will be notified for the following events:
 - 1. Officer killed or seriously injured on or off-duty
 - 2. Officer involved in the use of deadly force, on or off-duty, or while engaged in police related employment. Deadly force, for this purpose would be defined as:

- a. Any activity that results in the death of or serious bodily injury to any person as a result of the action taken by or caused by the officer. This would also include any situation in which, regardless of the severity of the injury, a case would be referred to a grand jury as a matter of routine.
- 3. Death of an employee on or off-duty
- B. Communications will be given a current roster of the top three IPAFOP representatives and will continue down the list until one person is notified.
- C. Notification does not grant the representative any authority to intervene in an official action, nor does it grant the representative on-duty status.

329.00 COMMUNICABLE DISEASE EXPOSURES

329.01 **Purpose**

This policy identifies disease exposures that constitute a serious health risk, and to outline precautionary measures, steps to be taken in the event of an exposure, and reporting requirements under applicable law.

329.02 Policy

Employees will receive training to minimize the risk of exposure to communicable diseases, and in the event of an exposure, will assist the employee in obtaining treatment and reporting the exposure to Dallas County Health and Human Services and the city's Risk Management office.

329.03 Definitions

Communicable disease: An illness due to an infectious agent or its toxic products that is transmitted directly to a well person from an infected person or animal, or indirectly through an intermediate plant or animal host, vector, or the inanimate environment.

Personal Protective Equipment: PPE includes disposable gloves, disposable gowns, disposable face shields, and puncture resistant gloves.

Protective Equipment Kit: The kit includes a bio-hazard suit, gloves, tape, gas mask.

Source: The person or animal that is responsible for the exposure or possible exposure.

Standard Precautions: The minimum infection prevention practices that apply to all contacts with infected persons. These practices are designed to both protect and prevent infections from spreading. Standard Precautions include:

- 1. hand hygiene
- 2. use of personal protective equipment (e.g., gloves, protective clothing, masks)
- 3. safe handling of potentially contaminated equipment or surfaces.

329.04 Communicable Diseases

- A. Utilizing the guidelines published by the Texas Department of Health and Human Services, the following are communicable diseases that require notification to Dallas County Health and Human Services:
 - 1. If the employee and subject were in the same room, vehicle or other enclosed space:
 - a. Chickenpox
 - b. Diphtheria
 - c. Ebola
 - d. Measles (Rubella)
 - e. Pertussis
 - f. Pneumonic Plague
 - g. Pulmonary or Laryngeal Tuberculosis
 - h. Severe Acute Respiratory Syndrome (SARS)
 - i. Smallpox

- j. Viral Hemorrhagic Fever
- 2. If the employee and subject were involved in an examination of the throat, oral or tracheal intubation, or suctioning, or mouth-to-mouth resuscitation:
 - Haemophilus Influenza type B infection, invasive
 - b. Meningitis
 - c. Meningococcal Infections, invasive
 - d. Mumps
 - e. Pneumonia
 - f. Poliomyelitis
 - g. Rabies
 - h. Rubella
- 3. If the employee is exposed to a needle stick or other penetrating puncture of the skin with a used needle or contaminated item; a splatter or aerosol into the eye, nose or mouth; or any significant contamination of an open wound or non-intact skin with blood or body fluids.
 - a. Acquired Immune Deficiency Syndrome (AIDS)
 - b. Anthrax
 - c. Brucellosis
 - d. Dengue
 - e. Ehrlichiosis
 - f. Hepatitis, viral
 - g. Human Immunodeficiency Virus (HIV)
 - h. Malaria
 - i. Plague
 - j. Syphilis
 - k. Tularemia
 - I. Typhus
 - m. Viral Hemorrhagic Fever
 - n. Yellow Fever
- 4. If fecal material is ingested:
 - a. Amebiasis
 - b. Campylobacteriosis
 - c. Cholera
 - d. Cryptosporidiosis
 - e. E. coli
 - f. Hepatitis A
 - g. Salmonellosis, including Typhoid Fever
 - h. Shigellosis
 - i. Vibrio Infections
- 5. If there has been contact of non-intact skin to these infections or drainage from these infections:
 - a. Methicillin Resistant Staphylococcus Aureus Wounds (MRSA)
 - b. skin infections
 - c. soft tissue infections

329.05 Education

A. Communicable diseases are spread from one person to another or from an animal to a person. The spread often happens via airborne viruses or bacteria but it can also occur through blood or

other bodily fluid. The terms infectious and contagious are also used to describe communicable diseases. Each employee will receive training on the subject of communicable diseases. This training will include types of diseases, use of equipment and practices to avoid exposure, and steps to be taken in the event of possible exposure.

329.06 Protective Measures

- A. Employees will use standard precautions in any contact with body fluids. Standard precaution refers to treating all body fluids as potentially infected with contagious diseases.
- B. A protective equipment kit (bio-hazard suit) will be provided to each officer in the department. Each affected division/section (which may reasonably be expected to have a need for such equipment) will establish a procedure for distribution and replacement of these kits and their contents.
- C. Standards for Use of Personal Protective Equipment (PPE)
 - 1. The department will issue all items in the protective equipment kit. These are the only items that may be used or carried by employees for the purposes specified.
 - 2. Employees will replace any used disposable PPE or items from the Protective Equipment Kit items by the end of their shift. If unable to do so, they are to notify their immediate supervisor of the reason and equipment used.
 - a. Replacement items will be obtained through the Property Room.
 - b. Any unused items from a sealed pack will be turned in to the Property Room when requesting a replacement pack.
 - 3. All employees will use the appropriate protective equipment when:
 - a. Processing crime scenes or handling situations where there is a presence of blood, body fluids, and/or other contaminated material
 - b. They encounter individuals, as well as evidence and personal property associated with them, who are bleeding or excreting other body fluids, have open sores, have body fluids on their clothing, or appear to be infected with parasites such as lice
 - 4. Use of PPE may be impractical during spontaneous, violent encounters that do not allow the employee the opportunity to seek protective equipment.
 - 5. Employees will not wear protective equipment except in those circumstances described and in unpredictable situations where the use of protective equipment is appropriate and reasonable as a precaution against exposure to blood, body fluids and unsanitary, hazardous, or infectious conditions.
 - 6. Disposing of Protective Equipment/Seized Non-Evidentiary Needles and Syringes
 - a. Used PPE will be discarded in a plastic biohazard bag, which will be sealed.
 - b. The sealed bag will then be placed in a second biohazard bag, which will also be sealed.
 - c. Seized non-evidentiary needles and syringes should be placed in a needle tube or Sharp's disposal container.

- d. The sealed double bag and/or needle tube should be disposed of in an authorized biohazard container. Locations for these containers are:
 - i. Any IFD ambulance
 - ii. Any Irving fire station equipped with ambulance service
 - iii. The Baylor Scott & White Hospital Emergency Room
 - iv. The Criminal Justice Center. (the police hallway outside the Property Room, the jail, and Community Services juvenile holdover).
- e. It is not necessary to complete a seized property report on non-evidentiary needles/syringes that are disposed of at these locations.

D. Hygiene and Cleaning

 Good personal hygiene, prompt sanitary cleaning practices, and the proper medical care for cuts, sores, and skin conditions on one's own body (particularly the hands) are the most important preventive measures for reducing the possibility of contracting a communicable disease through contact with blood or body fluids of others.

329.07 Evidence Handling

- A. Evidence contaminated with body fluids must be marked with a brightly-colored biohazard tag identifying it as being contaminated with body fluids to alert all persons subsequently handling it to the need for protection.
- B. Syringes seized as evidence should be carefully placed into a needle tube. The needle tube must be placed into an evidence bag and marked/submitted as evidence. Because of the puncture risk, employees are prohibited from breaking or attempting to break needlepoints from syringes.

329.08 Cleaning Procedures for Equipment and Vehicles Possibly Contaminated

- A. Possibly contaminated equipment should be washed or cleaned in a manner that is safe for the officer and does not damage the equipment. A disinfectant spray is available at the jail for further cleaning.
- B. Vehicles contaminated with blood, body fluid, or any other substantial amount of possibly infectious material should be evaluated by a supervisor before further use. The supervisor should evaluate any other substantial amount of possibly infectious material. If the supervisor approves, the vehicle will be cleaned by a biohazard cleaning service or placed out of service until the vehicle can be cleaned.
 - 1. Patrol sergeants have the phone number of the biohazard cleaning service. The service operates during typical business hours, seven days a week. They should not be called out after regular business hours.

329.09 Steps to be taken in the Event of Possible Exposure

- A. The primary concern in any possible exposure is the care, treatment, and necessary testing of the exposed employee.
- B. General Guidelines to Follow After Suspected Exposure:

- 1. Wash needlesticks and cuts with soap and water for several minutes. Use cool water to encourage bleeding and allow to bleed for several minutes so that potential infectants are expelled from the wound and washed away, minimizing the entry into the bloodstream. Cover with a sterile bandage. Splashes to the nose, mouth or skin should be flushed with copious amounts of water. Irrigate eyes with clean water, saline or sterile irrigants.
- Affected employee(s) will immediately notify their supervisor if exposure involves any of the communicable diseases listed in this policy or any other contact in which suspicion of occupational exposure exists.
- 3. The employee will be taken to Parkland Hospital or Baylor Scott & White Emergency Room, 1901 North MacArthur.
- 4. Employee will be assessed and offered appropriate medication.
 - a. If the attending physician provides a prescription for medication, the supervisor should provide the affected employee a City First Fill Prescription Card indicating the designated pharmacy for communicable disease medication.
- 5. The supervisor will complete the City of Irving Report of Injury to Employee Report.
- 6. The City of Irving Communicable Disease Forms can be found at: J:\The 4th Folder\IPDCurrForms\Current PSW Exposure Forms or on INET: http://inet.cityofirving.org/208/HR-Forms. A workplace Communicable Disease Exposure Flowchart is also available here for reference.
- 7. The employee must complete a notarized affidavit reporting the blood exposure and fax to the DCHHS PSW nurse at 214-819-6095 and to the City of Irving Risk Management Officer at 972-721-2582. This affidavit should be delivered the next business day after the incident but should not exceed 72 hours after the incident. The affidavit must contain:
 - a. Requestor's name and badge (employee ID) number
 - b. Telephone number at work
 - c. Best daytime phone number
 - d. E-mail address
 - e. Name and address of the emergency agency where the requestor works or volunteers
 - f. Emergency telephone numbers or cell number
 - g. Date and time of exposure
 - h. Circumstances of exposure
 - i. Source's symptoms if known
 - j. Where the source was transported
 - k. If known, the source's name, DOB, address, phone number, preliminary diagnosis, and probable present location

- 8. The City of Irving Injury Treatment Authorization and State of Texas Workers Compensation Work Status Report Form will be submitted to the employee's attending physician.
- A supervisor will ensure the affected employee receives medical treatment, which must include a screening test. The screening test must be performed no later than ten (10) days after exposure.
- 10. If the exposure involves one of the listed communicable diseases or any other contact in which suspicion of occupational exposure exists, a supervisor will complete an Employee Injury incident report in Blue Team.
- 11. A supervisor will contact the source and solicit a voluntary blood test for communicable disease screening.

C. Testing the Source

- 1. If the source agrees to a voluntary blood test, the supervisor will contact one of the following agencies for assistance in the order listed
 - a. Baylor Scott & White Hospital, 1901 N. MacArthur Blvd.
 - b. Between 8:00 a.m. and 4:30 p.m., Monday through Friday (closed weekends and holidays): Assign an officer to deliver the suspected disease carrier to the Dallas County Health and Human Services, 2377 Stemmons Frwy, Room 522, Dallas. Call them at 214-819-2004 for an appointment prior to leaving Irving.
 - i. DCHHS does not consider this type of situation an emergency and will not respond after hours, on weekends, or holidays.
 - c. If neither of the above facilities is available, the source should be taken to Parkland Hospital Emergency Care Unit.
- 2. The police department must provide a Request to Test Source Form to the facility at the time of testing. The source is required to sign authorization papers by the facility staff.
- 3. The facility will assign someone to take blood from the source.
- The DCHHS is responsible for notifying the exposed employee of test results taken from the source.
 - a. Dallas County Health and Human Services cannot release any information to the employee about test results unless it receives the employee's original affidavit of exposure within 72 hours (3 days) of exposure.
- 5. The medical facility treating the employee will notify them of his/her test results.
- Medical personnel should be told to send billing to the City of Irving Risk Management Office.
- 7. If the source refuses a voluntary blood test, a supervisor will proceed with the following.
 - a. A copy of the affected employee's affidavit of exposure, and the request to test form with the date and time the original request was denied by the source will be faxed to the DCHHS PSW nurse at 214-819-6095 and to the City of Irving Risk Management Office at 972-721-2582. The 72-hour time frame is still in effect.

- b. With the assistance of a supervisor, Dallas County Health and Human Services will make a second request that the source consent to a voluntary blood test.
- c. If there are two documented refusals, Dallas County Health and Human Services will obtain a court order through the Dallas County District Attorney's Office. The supervisor will provide any necessary assistance and the affected officer must attend the hearing.
- D. The City of Irving Risk Manager will be notified within 72 hours.
- E. Risk Management will assist on the exposed employee's treatment and follow-up testing.

330.00 IMMUNIZATIONS AND TREATMENT

330.01 Purpose

This policy provides procedures for immunizing and treating department employees.

330.02 Policy

Preventative immunizations and/or treatment are provided for all employees for Hepatitis B, Influenza, Diphtheria, Rabies and Tetanus, and for any other disease for which immunization is possible, including those transmitted by animals, and to which the employee may be exposed while performing official duties.

330.03 Immunization After Exposure

- A. Any police employee who is exposed (during the course of employment) to a specific contagious disease for which an FDA approved vaccination exists is entitled to such vaccine.
 - Any police employee who has been exposed to AIDS or HIV by a means that could be infectious will immediately go to a major hospital emergency room for examination. Medications can be given to help protect against the virus that causes AIDS. The risk of post contact HIV differs by exposure type, and immediate expert medical assessment is necessary to determine occupational post exposure prophylaxis efficacy.
 - 2. Any police employee who has been exposed to Hepatitis B by a means that could be infectious will go immediately to a hospital emergency room for blood testing to assess current immune status. Immunization must be given within one week of exposure; however, because the blood test results could take several days, timing is critical.
- B. Any police employee who has been exposed to a contagious disease as stated in the preceding paragraphs is entitled to reimbursement for the vaccination of their immediate family for that disease.
 - 1. "Immediate Family" includes any person who is residing in the employee's household at the time of the employee's exposure to the disease.
 - Employees are considered "exposed" to a disease covered by this policy only if the
 employee both comes in contact with a person or animal with that disease during the
 course of duty and it cannot be reasonably determined if the employee has a natural or
 acquired immunity to that disease.

330.04 Reimbursement Policy - Vaccination Due to Exposure

- A. Following exposure to a contagious disease for which reimbursement is allowable under this policy, the employee will use one of the following procedures, depending on their choice of how they will receive vaccinations.
 - 1. If an employee and immediate family who are covered by city sponsored health insurance choose to receive the immunization from their personal physician, the employee will submit a memorandum to the chief of police with sufficient documentation for reimbursement of the employee's out-of-pocket cost for the vaccine.
 - 2. If an employee and immediate family choose to receive the vaccination from a city-designated clinic, the employee will submit a memorandum to the chief of police.

Professional Standards will inform Human Resources to authorize the vaccinations at the city's expense.

3. Professional Standards will coordinate with Human Resources for reimbursement funds.

330.05 Reimbursement Policy - Preventative Immunization

A. Preventative immunization reimbursement will follow the same procedures as outlined in this policy but does not include the immediate family.

331.00 ONLINE REPORTING

331.01 **Purpose**

This policy establishes guidelines for online reporting.

331.02 Policy

Only reports meeting the criteria listed will be referred to the online reporting system, and only if the reporting party chooses to use the online reporting system.

331.03 Procedure

- A. Officer(s) will respond to in-progress incidents and all crimes with evidence or information that may lead to identifying a suspect, and incidents that just occurred and the suspect may still be in the area.
- B. The following crimes and reports may be referred to the online reporting system if the reporting party agrees to use it:
 - 1. Criminal mischief/Graffiti
 - 2. Lost Property
 - Phone Harassment
 - 4. Theft under \$100.00
 - Criminal Trespass Notice
- C. When a communications employee receives a call from someone requesting a police report, the employee will determine if the call is appropriate for an online report. If so, the employee shall:
 - 1. Determine if the caller has internet access.
 - 2. Inform the caller that their report may be filed immediately online and printed free of charge through a link on the police department's website.
 - Advise the caller that their report can be supplemented with additional information at any time.
- D. If the report is not appropriate for online reporting the communications employee will enter a call for service or take a phone report.

331.04 Responsibility of Approver

- A. The approver will access the online reporting system daily and approve all reports.
- B. The approver is responsible for returning reports with errors and/or that do not fit the criteria outlined in 331.03 B.
 - The rejection reason must be appropriately and professionally noted in the rejection box, which is automatically copied in an email to the reporting party with a duplicate sent to a department mailbox.

- 2. The approver is responsible for managing returned reports to ensure that all follow-up has been handled.
- C. Report(s) that require follow-up will be marked as "INV" and routed to CID.
- D. When, in the judgment of the approver, circumstances indicate an investigation is warranted, the report may be rejected with instructions for the reporting party to request a patrol unit to their location when it is convenient for them. Alternatively, the approver may change the report status to "INV" and route it to CID. If the report status is changed, the approver will make the change using the process that also notifies the complainant that the status has changed.

332.00 WARRANTLESS DETENTION, SEARCH, AND SEIZURE

332.01 **Purpose**

This policy and procedure provides broad-based guidelines for all officers in the area of warrantless detention, search and seizure based on constitutional guidelines, federal and state laws. Each officer is charged with staying abreast of the law on search and seizure through materials provided by this agency and through self-study. This policy is merely a guide and should not be used as a sole source on warrantless detention, search and seizure laws.

332.02 Policy

All officers will comply with Federal and State laws governing detentions, searches and seizures, thereby enhancing the quality of case investigations, deterring civil lawsuits, and protecting the rights of everyone against unreasonable searches, seizures and police encounters. The reasonableness of a search is judged both by the applicable laws and the circumstances at the time of the search. Generally, searches should be conducted with a warrant; however warrantless searches may be reasonable if justified by probable cause, exigency, or free and voluntary consent. Other factors to consider are the reasons for the detention, whether or not the person to be searched is in custody, and whether the scope of the search is unreasonably invasive given the facts at hand.

332.03 Definitions

Consent: Permission for an officer to search a constitutionally protected area given by a person with standing to grant it. Permission must be given without force, duress, or undue coercion of any kind.

Consensual Encounter: An officer may approach a person(s) and ask if he/she is willing to talk or answer questions. If the officer does not have probable cause or reasonable suspicion, the officer may not detain the person(s) and the person(s) may discontinue the conversation and leave at any time. A Field Interview may be generated from either an investigative detention or a consensual encounter. It is not an offense for a person to refuse to identify him/herself during a consensual encounter.

Electronic Device: any digital or electronic device and/or digital storage media

Frisk: A frisk is a "pat down" of the outer garments for a weapon.

Investigative Detention/*Terry* **stop:** An investigative detention or *Terry* stop is the temporary detention of a person when the officer has reasonable suspicion that criminal activity has occurred, is occurring or is about to occur and that the person to be stopped is involved or is a witness. The subject is not required to identify themselves under these circumstances but if they do choose to identify themselves, they must not give a false or fictitious name, residence address, or date of birth.

Probable Cause: That level of evidence wherein "the facts and circumstances within the officers' knowledge and of which they had reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed" (<u>Brinegar v. United States</u>, 338 U.S. 160 (1949).

Reasonable Suspicion: That level of evidence sufficient to induce an ordinarily prudent and cautious man to believe that criminal activity is at hand and that the suspect is involved with the criminal activity.

Search: "Generally considered to imply a probing, exploratory quest for evidence of a crime" (Marshall v. U.S., 422 F.2nd 185, 189 (5th Cir. 1970).

Search Warrant: A written order, issued by a magistrate and directed to a peace officer commanding the latter to search for any property or thing and to seize the same and bring it before such magistrate, (CCP 18.01[a]).

Seizure: "Some meaningful interference with an individual's possessory interest in the item seized" (<u>U.S. v. Jacobsen</u>, 466 U.S. 100, 124-25 (1984).

Strip Search: The removal, manipulation or rearrangement of some or all of the clothing of a person so as to permit an inspection of the genitals, buttocks, anus, breasts, or undergarments of such person, including but not limited to inspections conducted visually, manually, or by means of any physical instrument

332.04 Search Procedures

A. Search with a warrant

1. Searches should be conducted with a warrant unless they fall within a recognized exception to the warrant requirement. The law governing warrantless searches is derived from case law and thus subject to state and federal courts interpretation. Although there is a high degree of similarity between the state and federal courts on warrantless searches, there are areas where they differ, thus all officers must stay abreast of the latest court rulings.

B. Search without a warrant

Officers conducting searches without a search warrant bear the burden of proving that the search was reasonable. Some exceptions to the search warrant requirement include:

- 1. Abandoned property: When property has been abandoned or discarded in a public place, it no longer falls within the area of protection afforded by the Fourth Amendment, and therefore can be searched or seized without a warrant or any other justification.
- 2. Plain View: Under the Plain View Doctrine, the warrantless seizure of a piece of evidence that is in plain view is permissible when two criteria are met.
 - a. First, the evidence must be seen from a lawful vantage point, i.e., the officer must have a legal justification for his place of observation.
 - b. Second, the observing officer must have probable cause to believe the evidence in question is contraband or incriminating evidence and should need no further investigation of the object or item in question to realize its evidentiary value. Horton v. California; Joseph v. State
- 3. Open Fields: In open fields an officer needs no justification for his vantage point in that the object or item is in a place in which no person could have a reasonable expectation of privacy. However, an officer shall not commit criminal trespass under Penal Code, Section 30.05.
- 4. Exigent Circumstances: Officers may conduct limited searches without a warrant under emergency conditions to protect a person, who is in need of immediate assistance under life-threatening conditions, or to protect the public from harm, and to prevent the imminent destruction of evidence or seizable property.
- 5. Automobile exception: A motor vehicle may be searched for contraband or evidence of a crime upon probable cause that a crime has been committed or is being committed.

C. Search with consent

 A search may be conducted by police pursuant to one's consent. The consent must be voluntary, freely, and intelligently given by an appropriate person. The scope of the search is usually limited to the terms of the consent. Officers must understand that the person may withdraw their consent at any time; therefore the person's written or video and audio-recorded consent should be obtained.

D Search incident to arrest

- 1. Upon the lawful arrest of a person, the arresting officer is entitled to search the person of the arrestee, and may also search the arrestee's vehicle (*Arizona v. Gant*) under the following circumstances:
 - a. To prevent access to weapons or the destruction of evidence if there is a possibility the arrestee could reach into the area sought to be searched
 - b. Based on an officer's reasonable belief that evidence of the crime for which the arrestee is under arrest may be found
 - c. To secure weapons that could be immediately obtained by the arrestee or any bystander that the officer reasonably suspects poses a danger to the officer.

332.05 Detentions and Consensual Contact Procedures

- A. Investigative Detention (aka: *Terry* stop): Under the Fourth Amendment, an officer who lacks probable cause, but whose observations lead him or her to reasonably suspect that a particular person has committed, is committing, or is about to commit a crime, may detain that person briefly in order to investigate the circumstances that provoke suspicion. In addition, if he or she has an articulable reason to believe the person possesses an item that can be used as a weapon, the officer is entitled to conduct a limited pat-down, or frisk, of the outer garments of the detainee to determine whether the suspect is armed or possesses an item that could be used to harm the officer. *Terry v. Ohio*
- B. Consensual Encounter: The Fourth Amendment allows an officer to approach a person and ask if he/she is willing to answer questions, and to ask questions if the person is willing to listen and respond. If the officer has no probable cause to arrest or a reasonable suspicion that justifies an actual investigative stop or detention, the individual may discontinue the interview at any time and leave. The person may also refuse to produce identification or otherwise identify himself/herself.
- C. Frisk: Although an officer may have reasonable cause to stop an individual, there must be a separate belief, based on articulable facts, that the subject is armed in order to justify a frisk. The purpose of a frisk is not to discover a crime, but to allow the officer to continue the investigation without fear of violence.

332.06 Digital or Electronic Devices and/or Digital Storage Media

- A. Unlike ordinary containers in an arrestee's possession, which are subject to a warrantless search incident to arrest, electronic devices (see section 332.03) are capable of storing an immense amount of private personal data. Electronic devices are not subject to the "search incident to arrest" exception to the search warrant requirement. Therefore, data stored on such devices may be searched only with a valid search warrant or other qualifying exception.
- B. Officers may seize an electronic device or evidence derived from an electronic device when:
 - 1. The electronic device itself is evidence or there is physical evidence on it; or

- 2. There is probable cause to believe that electronic evidence of a particular crime will be found stored on the electronic device; or
- 3. There is reasonable suspicion that electronic evidence of a particular crime will be found stored on the electronic device and there is a reasonable likelihood that further investigation will develop probable cause necessary to obtain a search warrant.
- C. Officers may conduct a warrantless search of contents stored within an electronic device when:
 - 1. There are emergency circumstances permitting the search, e.g., the officer has probable cause to believe that the electronic device is connected to some imminent threat of death or serious bodily injury and there is a need to obtain the information immediately; or
 - 2. The electronic device was abandoned; or
 - 3. The person in possession of the electronic device has no reasonable expectation of privacy of its contents (such as a stolen cell phone); or
 - 4. The owner expressly consents to a search.
 - a. The consent must be:
 - In writing; (preferably on the Consent to Search Form/Electronic Evidence) located in the IPD Current Forms folder on the "J" drive or
 - ii. Audio recorded
 - iii. Whether consent is obtained verbally or in writing, the officer obtaining consent must document that the person who gave consent was provided with a method to revoke it. Consent may be revoked at any time by sending an email to IPDCIDEEU@cityofirving.org. The person giving consent must include their full name and preferably a case number when revoking consent via email.
- D. Incriminating texts, photos, and e-mails that are displayed in plain view and without accessing the electronic device may be photographed and/or documented in a report to help establish probable cause for a search warrant.
- E. Forensic analysis of electronic devices can be costly and time consuming, depending on the security features employed. If the passcode or password for a device is unavailable, forensic analysis is not economically feasible and analysis requests will be rejected unless the offense is serious enough to justify the effort and expense. Before seizing an electronic device for forensic analysis, officers shall consider the following factors:
 - The availability of the passcode or password if the electronic device is locked or password protected
 - 2. The severity of the crime
 - 3. The need for additional evidence
- F. Procedures for seizing an electronic device for forensic data analysis:
 - 1. An electronic device may be seized to preserve its electronic contents while an application for a search warrant is pending.
 - 2. The seizing officer should attempt to obtain the passcode / password from the owner.

- 3. If possible, a seized cell phone should be immediately taken off the network by changing its setting to "airplane mode."
- 4. The electronic device shall be wrapped in bubble wrap, then placed in a Faraday bag and submitted to the Property Room in accordance with the property and evidence policy.
- 5. The lead investigator or arresting officer (in patrol-filed cases) shall complete the Electronic Exam Request form (located in the IPD Current Forms folder on the "J" drive) and submit the completed form to the Electronic Evidence Unit (IPDCIDEEU@cityofirving.org) for approval.

G. Electronic Evidence Unit Supervisor Responsibilities

- 1. The Electronic Evidence Unit supervisor shall review all requests for forensic analysis to confirm that the forensic analysis request is supported by probable cause or reasonable suspicion with a reasonable likelihood of developing probable cause, and that forensic analysis is a prudent use of police department resources.
- 2. If the request is denied, the Electronic Evidence Unit supervisor shall have an investigator release the electronic device to its owner.

333.00 SAFEGUARDING CHILDREN OF ARRESTED PARENTS

333.01 **Purpose**

This policy establishes guidelines and procedures for officers that arrest individuals that are a parent or primary caregiver to a child.

333.02 Policy

In order to minimize potential trauma and to support a child's physical safety and well-being, officers will identify and respond effectively to children, present or not present, whose parent is arrested.

333.03 Definitions

Child: For the purpose of this policy, a child is any un-emancipated person under the age of 18, whether or not they are present at the time of the arrest. "Child" may refer to an individual child as well as multiple children.

Parent: Any adult who is legally responsible for the well-being, supervision, and care of a child. In most cases, this individual is a biological or adoptive parent or guardian.

333.04 Procedures

- A. Officers making an arrest of any individual shall:
 - 1. Inquire about the presence of children for whom the arrested adult has responsibility. If the arrest is made in a home environment or out of a vehicle, officers should be aware of items which suggest the presence of children (toys, clothing, formula, diapers, child safety seat, etc.).
 - 2. When planning an arrest or search warrant, officers shall consider the age and likely location of any children when determining the time, place and logistics of executing the arrest and/or search warrant.

B. When Children are Present:

- 1. If it is safe to do so, officers should attempt to make the arrest away from children or at a time when the children are not present.
- If it is safe to do so, officers should allow the arrested person to assure the children that they will be safe and provided for. If it is not safe or if the demeanor of the arrested parent suggests this conversation would be non-productive, an officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurances to the children that both the parent and the child will be cared for.
- 3. When children are present, officers shall determine whether another parent, an adult relative, or other responsible adult (e.g., godparent, adult neighbor) is willing to take responsibility for them. An officer shall run a local record check on the individual willing to take responsibility for the children and contact the Texas Department of Family and Protective Services (1-800-877-5300) to run a criminal history to determine if this person has a history of child abuse. Any history of sexual crimes or violence against children will make the adult ineligible to assume responsibility for the child. This does not apply to a parent unless there is a court order limiting contact with the child. Officers shall notify the DFPS of the intended placement.

- 4. In the event no responsible adult can be located to take the children, officers will take them into protective custody according to the General Order pertaining to Protective Custody.
- 5. Officers should include in the arrest report the name, address and contact information of the person the children were placed with and route the report to Victim Services.
- 6. For calls involving violent crimes or domestic violence, in order to minimize any negative effect on the children, officers should avoid using them to interpret for a parent and a parent should not be allowed to interpret for any children.

C. When a Child is Not Present

- 1. The officer shall ensure that appropriate arrangements are made, either through this department or the DFPS to place the children with an appropriate caregiver.
- 2. If the arrest occurs while the children are not present (e.g., at school or daycare), the officer should discuss with the arrested parent about how the children will be picked up and by whom.

D. Post-Arrest Procedures

- 1. When an arrest is made, the existence of any children, present or not, shall be noted in the arrest report as well as the identity and biographical information of the children.
- 2. Officers shall file a report with the DFPS (1-800-877-5300) if they identify children who have been placed in danger (e.g., DWI with child, drug arrests, narcotic search warrants) or assaulted.

E. Supervisor Responsibilities

1. Supervisors shall ensure that proper notification and documentation is completed when a parent or primary caregiver of any children is arrested and that appropriate arrangements have been made for their care.

334.00 POLICE RIFLE PURCHASE PROGRAM

334.01 **Purpose**

This policy establishes guidelines and procedures for Irving Police Officers to purchase an approved rifle through a rifle purchase program established by the City of Irving and Irving Police Department.

334.02 Policy

The City of Irving and the Irving Police Department will maintain a "police rifle purchase program" to provide financial assistance to police officers for the purchase of a personal patrol rifle (patrol rifle allowance) for use while performing their duties for the City of Irving.

334.03 Requirements for Participation

- A. In order to receive the police rifle allowance, an employee must be a sworn peace officer who is required to be armed while on duty, and the rifle purchased by the employee must be brought to work for use on duty.
- B. Only sworn peace officers who hold a current Urban Rifle Operators Course (UROC) certification or have been scheduled to attend UROC training are eligible to receive a police rifle allowance.
- C. Only rifles authorized by the department are eligible for this program. The list of approved rifles is maintained by the Training Academy. The Irving Police Department General Order related to rifles and ammunition applies to this rifle purchase program.
- D. Officers will carry the rifle purchased through this program in accordance with their division SOP.

334.04 Application Process

- A. Any officer desiring to participate in the police rifle purchase program will submit a "Police Rifle Allowance Request" form to Human Resources. The form must be signed by the officer, bureau chief, and the chief of police.
- B. Officers are required to submit a signed "Acknowledgement of Allowance Authorization to Reduce Final Pay" and agree that they are responsible for complete repayment of the allowance if they should leave the employment of the City of Irving before the allowance has been re-paid, to include reduction of any final pay in an amount sufficient to cover any remaining balance.
- C. The chief of police is responsible for ensuring that each officer receiving the police rifle allowance is eligible according to this policy, and for maintaining copies of the receipt and other required documentation in the officer's personnel file.

334.05 Allowance Terms

- A. Upon submitting the required Application for Police Rifle Allowance and a quote reflecting the cost of the rifle, approved accessories, and sales tax, eligible officers will receive a check from City of Irving Finance Department for the cost of the rifle, accessories and sales tax, up to \$1,200.00.
- B. The recipient officer has ten (10) days to submit to Training Academy personnel a receipt confirming the purchase, and documentation containing the make, model, and serial number of the rifle purchased.

C.	The Payroll Department will deduct from the officer's pay equal installments each pay period for 26 pay periods until the allowance has been paid back to the City of Irving.
D.	The purchased rifle is the property of the officer purchasing it, and officers are only allowed to participate in the program one time.

335.00 IMMIGRATION ENFORCEMENT

335.01 Purpose

This policy provides employees with instruction related to immigration enforcement and inquiries into lawful residency.

335.02 Policy

Officers and civilian employees shall comply with all applicable state and federal laws regarding immigration enforcement and constitutional limitations on that authority. In compliance with Senate Bill 4 (2017), officers may not inquire about the immigration status of persons who are only in contact with police personnel because they are the victim of an offense, witness to an offense, or the reporting party of an offense.

335.03 Definitions

Detainer request: A 48-hour hold issued by ICE that is civil in nature and based upon probable cause that a person has violated immigration restrictions

ICE: The Immigration & Customs Enforcement agency of the federal government

Lawful arrest: An arrest based upon probable cause that the arrestee has committed a criminal offense other than an immigration violation

Lawful detention: A detention based upon reasonable suspicion that the detainee has committed, is committing, or is about to commit a criminal offense other than an immigration violation. For purposes of this policy the term "lawful detention" shall not include a detention of a person who is a victim or witness of an offense.

Proof of lawful residency: Shall include a current Texas Driver's License or similar government-issued photographic identification establishing that the person is a citizen of the United States or that the person has lawful immigration status in the United States.

335.04 Mandatory Compliance

A. All employees shall comply with this policy. It shall be the duty of all supervisors to monitor employee activities to ensure compliance.

335.05 Inquiries Regarding Immigration Status

- A. Officers shall follow these policies if they choose to inquire about immigration status. Nothing in this section is intended to prohibit an officer from sending or receiving information to or from any federal agency charged with enforcing immigration laws.
- B. During a lawful detention, officers may inquire about the detainee's immigration status. Officers should be mindful that if the detainee has provided proof of lawful residency, further inquiries about immigration status are not necessary.
 - 1. Officers are reminded that racial profiling is prohibited, therefore should an officer decide to exercise their discretion and inquire about immigration status, the officer shall, during all lawful detentions or arrests, inquire about the immigration status of all lawfully

detained or arrested persons who (1) do not have proof of lawful residency; or, (2) for whom TCIC/NCIC contains no record of proof of lawful residency.

- C. During a lawful detention, officers may make inquiries via TCIC/NCIC to determine if the detainee is the subject of any ICE warrants.
- D. During a lawful detention, officers may make inquiries via the local ICE agent or representative. Officers shall be mindful that a person cannot be detained for an unreasonable period of time to await the response of an ICE agent or representative.
- E. Officers are reminded that a person who is lawfully detained is not obligated to respond to questions, including questions about identity and immigration status. Officers shall not compel a detained person to provide identification. Officers shall not arrest a person who refuses to identify themselves during a lawful detention, unless such a refusal violates state law. Officers may arrest a lawfully detained person if the person is untruthful about their identity.
- F. During a lawful arrest, officers may inquire about the arrestee's immigration status. Officers should be mindful that if the arrestee has provided proof of residency, further inquiries about immigration status are not necessary.
- G. During a lawful arrest, officers may make inquiries via TCIC/NCIC to determine if the detainee is the subject of any ICE warrants.
- H. Officers are reminded that a person under arrest is not required to answer any questions except to provide their name, address and date of birth.

335.06 Detainers

- A. This department shall honor ICE detainers for a period no longer than 48 hours after the arrested person has posted bond or is to be released on a personal bond.
- B. If an arrested person produces proof of lawful residency, the department shall not honor a detainer request. The arrested person may be released following standard procedures. The employee or officer shall make photocopies of all documents establishing proof of lawful residency. These records shall be retained per department policy.
 - 1. A supervisor or ICE representative should be consulted for questions regarding the legitimacy of documents establishing the proof of lawful residency.
- C. If an arrested person fails to show proof of lawful residency, jail staff may contact ICE to determine if ICE wants to respond to the jail for additional investigation.
- D. The presence or absence of a detainer shall not affect normal transport procedures. Arrested persons shall be transported to the county jail facility per standard operating procedure. ICE shall be notified of the transfer.
- E. Once an arrestee has posted bond and that person is to be detained for additional time pursuant to an ICE detainer request, the employee shall contact the supervisor on duty and advise the supervisor of the situation.
- F. Should an employee receive a writ or other court notice regarding the person detained for an ICE hold, the employee shall immediately notify the supervisor on duty. The supervisor on duty shall immediately notify the legal advisor to review the document. If the legal advisor determines the writ or court order is valid, the department will honor the writ or court order.

335.07 Enforcement Cooperation

- A. Officers and civilian staff are authorized to assist immigration officials in enforcement actions pursuant to the following rules. Officers and staff shall cooperate with immigration officials who are investigating immigration matters.
 - 1. Any officer or civilian staff who receives a request to assist in an ICE enforcement action shall immediately contact the supervisor on duty and relay the request. The supervisor will then determine whether there are sufficient personnel to assist ICE.
- B. Jail staff will not interfere with a request from ICE to interview an arrested person.
- C. Officers and civilian staff shall not assist or cooperate with immigration authorities without supervisor approval if the enforcement action is to take place at a place of worship.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

400.00 PERSONNEL

401.00 PERSONNEL STATUS

401.01 **Purpose**

This policy regulates the maintenance and release of personnel information required by the department.

401.02 Policy

Employee information required by the department and TCOLE will be current and access to files containing that information will be regulated.

401.03 Change of Address and/or Telephone Number

- A. Employees are required to keep their current address and telephone number on file with the department for official use. Any change in address and/or telephone number will be reported to the employee's immediate supervisor within twenty-four (24) hours. Changes are recorded on the City of Irving "Employee Information Form" P-5.
- B. TCOLE licensed employees are required to notify TCOLE of an address change within 30 days. The notification of change will be done on-line using the employees "My TCOLE" account.

401.04 Changes in Family Status and/or Name

- A. Employees should report in person within thirty days to the City of Irving Human Resources Department any change in their dependent status. Failure to do so may cause complications in obtaining insurance coverage for new dependents and may require the completion of a health statement form and a possible "waiting period" before insurance coverage could be obtained.
- B. Employees are required to report name changes to their immediate supervisor within fifteen (15) days. Name changes are reported on the City of Irving P-5 form.
- C. TCOLE licensed employees are required to notify TCOLE of any official name change within 30 days. The form can be found at www.tcole.texas.gov

401.05 Emergency Call Out List

A. The Administration Office Supervisor will maintain an emergency call-out list. The list is broken down by bureau, division, and section. The list assigns responsibility to supervisors to call specific employees if a call-out is initiated. The list contains every department employee's name, address, and telephone number.

- B. The list is updated as needed and is available J:\The 4th Folder\Watch commanders.
- C. Supervisors will have contact information for their employees should the need arise to contact the employee while off duty.
- D. All personnel are subject to emergency call-out during designated emergencies or disasters.
- E. The emergency call-out list is for department use only and will not be released.

401.06 State Licensing and Proficiency Certification of Licensees

- A. Title 10 of the Texas Occupations Code requires that all police officers licensed after September 1, 1970 and telecommunicators be licensed by the Texas Commission on Law Enforcement (TCOLE). TCOLE is responsible for establishing minimum standards relating to competence and reliability, including education, training, physical, mental, and moral standards, for licensing as an officer and telecommunicator.
 - 1. Each TCOLE licensed employee is responsible for their individual license and is required to maintain a valid TCOLE license.
 - a. A TCOLE licensed employee will notify the Office of the Chief of Police of any license status changes to include a pending reprimand, revocation, probation or suspension.
 - i. This notification will be done no later than the first business day after notification of any pending, temporary or permanent status change by TCOLE.
- B. TCOLE required training will be provided by the department to each licensed employee.
- C. TCOLE licensed employee's seeking intermediate, advanced, or master peace officer/telecommunicator proficiency certifications are responsible for submitting the necessary documentation to the Training Sergeant.
 - 1. This documentation would include school transcripts, school certificates and any other items requested for proper documentation
 - 2. The employee is responsible for utilizing "My TCOLE" and notifying the Training Sergeant when they have become eligible for a proficiency certificate.
- D. The Training Sergeant is responsible for submitting the necessary documentation and fees to obtain the eligible licensee's certification to TCOLE after being notified by the employee.

401.07 Police Officer's Oath

A. All officers are required, upon employment, to take the Police Officer's Oath.

401.08 Personnel Evaluations

- A. Commissioned Personnel
 - 1. Evaluations are the responsibility of the section/shift to which the officer is assigned.
 - 2. Semi-annual evaluations are completed on non-probationary, commissioned officers assigned to the Patrol Division, through the rank of sergeant, on the department's

- evaluation instrument for each shift bid cycle. Supervisors may use the last two (2) weeks of each bid cycle to complete evaluations in order to have them turned in by shift change.
- 3. Annual evaluations are completed on non-probationary, commissioned officers assigned to all other divisions, through the rank of sergeant, on the department's evaluation instrument. Annual evaluations on commissioned officers outside of the Patrol Division are due at the conclusion of the Fall/Winter bid cycle. Supervisors may use the last two (2) weeks of this bid cycle to complete evaluations in order to have them turned in by shift change.
- 4. Evaluations of lieutenants and captains are completed in memo format. Patrol lieutenants are evaluated at the end of each Patrol Division bid cycle. All other lieutenants and captains are evaluated annually at the conclusion of the Fall/Winter bid cycle. Supervisors may use the last two (2) weeks of each evaluation cycle to complete evaluations, in order to have them turned in by shift change.
- 5. Within ten (10) calendar days after the date a commissioned officer receives the copy of his or her evaluation report, the officer may make a statement in writing concerning the report. The statement will be placed in the officer's personnel file with the report.
- 6. Upon completion of the evaluation interview, between the immediate supervisor and employee, the signed evaluation is forwarded through the chain of command to the division commander. Division commanders are to endorse and then provide a copy of the completed evaluation to each employee. The original evaluation is forwarded to the Administration Office Supervisor where they are to be maintained in the department personnel files.

B. Civilian Personnel

- 1. Evaluations are the responsibility of the section/shift to which the civilian employee is assigned.
- 2. Annual evaluations are done in accordance with guidelines developed by the Human Resource Director of the City of Irving.

401.09 Performance Improvement Plan

- A. When a commissioned or civilian employee's performance falls below acceptable standards, a supervisor may place the employee on a structured Performance Improvement Plan (PIP) to correct documented performance deficiencies.
- B. A supervisor who wishes to place an employee on performance improvement should document the reasons for the proposal in a memorandum to the division commander. The memorandum should provide specific details about the deficiencies, a chronology of disciplinary and other measures taken in response to the deficiencies, and a plan for the employee to follow in order to correct the deficiencies.
- C. The proposed PIP should contain the following elements:
 - 1. Identification of deficiencies and supporting evidence
 - 2. A plan to correct the deficiencies, minimum expectations for successfully completing the plan, and when possible, measureable benchmarks for achieving the goals of the plan

- 3. A recommendation, taking into consideration the severity and scope of deficiencies, for a thirty-day, sixty-day, or ninety-day PIP. A PIP exceeding ninety days may be authorized for deficiencies requiring an extended remediation period.
- D. The employee may be placed on a PIP with division commander approval.

E. Supervisor's Responsibilities

- 1. The supervisor requesting the PIP is responsible for monitoring the employee's progress.
- 2. The supervisor shall meet with the employee at regular intervals, as specified in the plan, to check the employee's progress, document the results, and provide feedback to the employee.
- 3. At the conclusion of the PIP, the supervisor will determine whether or not the employee successfully completed the plan. If the employee successfully completed the plan, the employee is allowed to resume his or her regular duties. The supervisor is required to submit a memorandum to the division commander detailing the successful completion. The division commander forwards the PIP packet to Administrative Office Supervisor.
- 4. If the employee failed to successfully complete the PIP, the supervisor is required to write a memorandum recommending an extension or modification of the PIP.
- 5. In addition to or in lieu of modification or extension, a supervisor may recommend disciplinary or other personnel action, including termination, indefinite suspension, temporary suspension, transfer, or any other appropriate action authorized by city or department policies as the circumstances justify. Recommended disciplinary action must be in accordance with the discipline policy, and supported by an allegation that the employee, in failing to attain the goals of the PIP, violated a City of Irving policy, department policy, or civil service rule that warrants disciplinary action.
- 6. A commissioned officer assigned to the Patrol Division loses bidding privileges if the officer is on a PIP when the bidding process begins, or failed to successfully complete a PIP any time during the bid cycle. Such officer will be assigned to a shift by the division commander in the interest of the employee's development and the needs of the police department.
- 7. The PIP and corresponding employee evaluation will be forwarded through the chain of command to the bureau chief for review and endorsement. The PIP and the original evaluation are then forwarded to the Administration Office Supervisor where they are to be maintained in the department personnel files.

401.10 Purging of Employees' Divisional and Supervisory Files

- A. Supervisors will purge memorandums placed in employees' files that are more than one year old. This includes divisional and other supervisory files.
 - 1. Non-commissioned employees' files are maintained for one year for evaluation purposes.
- B. Retention of memorandums in officers' files is limited to twelve (12) calendar months (i.e., a memo placed in an officer's file on November 15 should be purged the following November 15) unless the information is attached to a Notice of Investigation or Notice of Disciplinary action, in which case Professional Standards retains a permanent copy. Copies of memorandums retained by Professional Standards are purged from the divisional files after one year.

- C. Divisional files should not contain documents that are more than one year old if the document is filed elsewhere within the department's administrative records system. (e.g., personnel orders, offense/accident reports, commendations, transfer requests, etc.)
- D. Division commanders will hold semi-annual inspections of files maintained by their supervisory subordinates.

401.11 Personnel Files

- A. A personnel file for each general government employee of the department is maintained in the Human Resources Department at city hall.
- B. The only members of the department who are authorized to view any part of any personnel file are:
 - 1. The chief of police
 - 2. Assistant chiefs of police
 - 3. Division commanders (authorized to view the files of the personnel under their command for official purposes only)
 - 4. The Professional Standards Lieutenant in performance of internal affairs duties
 - 5. The Administration Office Supervisor (may view any part of any file in connection with official business or in compliance with General Orders)
 - 6. Employees (are authorized to view their own file)
- C. All personnel files are confidential, and the contents of such files will not be discussed with unauthorized personnel. Inquiries from sources outside the department regarding information contained within the file will be referred to the Human Resources Director for the City of Irving.
- D. Entries in a personnel file will not be removed or deleted except upon approval of the chief of police and the Human Resources Director.
- E. Employees will not alter, destroy, remove, or add anything to any personnel file.

401.12 Permanent Civil Service Personnel File

- A. The Civil Service Director maintains, following Chapter 143.089 of the Texas Local Government Code, a separate file for civil service employees containing information relating to commendations, disciplinary action, and evaluations.
- B. Chapter 143.089 of the Texas Local Government Code prescribes specific duties and responsibilities regarding this file, and officers should refer to the Local Government Code for additional information.
- C. The requirements enumerated in this section for Personnel Files also apply to this file.
- D. Inquiries from outside sources regarding information contained within the file are referred to the Civil Service Director.

401.13 Personnel Medical Files

- A. The Americans with Disabilities Act requires all employee medical records be maintained separately and confidentially. The separate employee medical files will be maintained in Police Administration.
- B. All medical records will be forwarded through the chain of command to the respective bureau chief. Injury reports, worker's compensation claims, or sick leave doctors' excuses will not be maintained in division files. The Administration Senior Secretary is responsible for filing the medical records.

401.14 Release of Employee Information

- A. Employees' home addresses, cell phone numbers and home telephone numbers (if applicable) will not be released to any outside agency or person.
- B. Requests for personal information, verification of employment, or salary shall be referred to the City of Irving Human Resources Department.

401.15 Incentive Pay Program

- A. Newly hired employees are responsible for submitting official school transcripts and other documentation required during the hiring process.
 - 1. The Personnel Sergeant is responsible for the proper submission of the required forms.
- B. TCOLE licensed employee's seeking education and incentive pay for college or proficiency certifications are responsible for submitting the necessary documentation to the Training Sergeant.
 - 1. This documentation would include school transcripts, training certificates and any other items requested for proper documentation
 - 2. The Training Sergeant is responsible for the proper submission of the required forms.

401.16 Internship Program

- A. The internship program is designed to assist students in high school or college who are interested in a career in law enforcement. A college is defined as one that is accredited and approved by the Southern Association of Colleges or its equivalent.
- B. The objective of the program is to give students an overall view of how a police department operates through hands-on training and experience in all sections and divisions within the police department. Nothing in these guidelines prohibits the department from utilizing resources from outside the department for a particular specialty (computer programmer, counselor, etc.). The Personnel Sergeant coordinates the program.

402.00 SENIORITY AND TIME IN GRADE

402.01 **Purpose**

This policy defines seniority and determines how it is used within the agency.

402.02 Policy

Seniority is awarded to employees based on tenure and used in accordance with applicable Civil Service Statutes and department polices.

402.03 Determining Seniority of Police Officers

- A. Officers' seniority will begin on the initial date of employment as a police officer with the City of Irving. If two or more officers report on the same day, the officer having the highest test grade on the civil service entrance examination, as certified by the Civil Service Director, is considered as senior.
- B. An officer's time in grade for those ranks above police officer will begin on the date of promotion to the rank. If two or more officers are promoted on the same day, the officer who has the highest promotional test score is senior.
- C. Seniority for members having identical promotional test scores and promoted on the same day is determined by their time in grade in the previous rank.
- D. Any officer who resigns or retires from the department and is reappointed regains seniority on previous tenure for purposes of promotional test points only.
- E. All seniority is retained, including all time away from the job, when the absence was the result of a military duty leave.
- F. Demoted officers will retain all of the time spent in both the higher and lower rank as time in grade in the lower rank.

402.04 Determining Seniority of Civilian Employees

- A. Seniority for civilian employees begins on the date of employment with the City of Irving. If two or more employees report on the same day, the employee with the lower assigned identification number is considered senior to the other(s).
- B. A civilian employee's time in grade for promotions begins on the date of promotion. If two or more employees are promoted on the same day, the employee with the most overall seniority is considered senior to the other(s) in that grade.

402.05 Application of Seniority or Time in Grade

- A. Generally, assignments and transfers will not be made based on seniority; however, if all other factors are equal, seniority may be used.
- B. Sworn employees, on promotional exams, are given one (1) point for each year of seniority, not to exceed ten (10) points.

C.	Vacation leave and holiday leave may be granted when it best serves the department. The submission date and time of a request for leave will take precedence over seniority (i.e., the first employee to request the leave will take precedence over subsequent requests). Preference is given based on seniority for employees or time in grade for supervisors, only when requests for leave are submitted at the same time requesting the same day(s) off. The weight of seniority for purposes of shift bids and time off is determined by divisional S.O.P.'s.

403.00 PHYSICAL FITNESS PROGRAM

403.01 **Purpose**

This policy will promote a healthier, more active lifestyle for police department employees, thus decreasing the risk of injury and health problems.

403.02 Policy

This agency will focus on fitness, health, and nutrition; administer measurable fitness tests which allow room for growth and improvement; encourage employees to maintain physical fitness; and reward employees who achieve and/or maintain a defined fitness level.

403.03 Definitions

Concept 2 Rower: Rowing machine made by Concept 2 that is used to administer the department alternate fitness test

Department Training Cycle: A yearly training cycle using TCOLE's training calendar (September 1st through August 31st)

Evaluators: Full-time Training Academy Staff and/or approved adjunct fitness trainers (adjunct fitness trainers are approved by the Training Division Lieutenant.)

Irving Physical Fitness Norms: Current Cooper Institute norms converted to a ten (10) point scale used to measure each fitness test [The current Cooper Institute norms (converted to a ten (10) point scale) at the beginning of each department training cycle is used throughout the training cycle and will supersede any and all previous Irving Physical Fitness Norms.]

Overall Fitness Score: Overall score calculated by averaging all six fitness exercises.

VO2 max: The maximum amount of oxygen the body can utilize during a specified period of usually intense exercise

403.04 Procedures

- A. The program is voluntary for police department employees. The rule of "voluntary take, voluntary pass" applies.
- B. Irving Physical Fitness Norms are used as a measure for each test. A copy of the norms may be obtained by contacting a member of the Training Academy staff.

403.05 Class / Assessment Schedule

- A. The physical fitness assessment is scheduled as needed by the Academy staff.
- B. The physical fitness assessment may be taken by police department employees only once every department training cycle.

403.06 Physical Fitness Tests

A. In order to create an appropriate fitness program without bias, the base standard of measure will

include the following fitness areas/tests:

- 1. 1 ½ Mile Run aerobic capacity (cardio respiratory)
- 2. One (1) Repetition Maximum Bench Press muscular strength (upper body)
- 3. Vertical Jump anaerobic power (explosive leg strength)
- 4. One (1) Minute Maximum Sit-Ups muscular endurance (core body)
- 5. One (1) Minute Maximum Push-Ups muscular endurance (upper body)
- 6. 300 Meter Run anaerobic power (sprinting ability)

403.07 Overall Fitness Score Calculation

- A. Overall fitness score are calculated by averaging all six fitness exercises.
- B. <u>Formula</u>: The participant's individual fitness scores are used. ("FS" means each individual test's fitness score)

(1½ Mile FS)+ (Bench FS)+ (Vertical FS)+ (Sit Up FS)+ (Push Up FS)+ (300 Meter FS) 6 (for six exercises)

C. Overall fitness score will not be rounded up or down.

403.08 Concept 2 Rower Alternate Test

- A. A person's VO2 max is calculated by rowing their best 2000 meters on the Concept 2 Rower. The VO2 max is calculated using the 2000-meter time, combined with weight, age, and gender.
- B. The percentage output will be calculator by the Evaluator.
- C. The tier of incentive pay is determined by percentage output calculated. The Training Sergeant maintains a chart for review by each employee.

403.09 Incentive Pay Program

- A. Overall fitness score is used to determine what level of fitness pay the participant will receive.
- B. Pay levels of fitness and the amount of incentive pay may be subject to change at the beginning of each department training cycle.
- C. Current incentive pay levels of fitness and amounts:
 - 1. 1st Tier Overall fitness score of "4" (incentive pay according to current city ordinance expires one year from the most recent incentive pay activation)
 - 2. 2nd Tier Overall fitness score of "6" (incentive pay according to current city ordinance expires one year from the most recent incentive pay activation)
 - 3. 3rd Tier Overall fitness score of "8" (incentive pay according to current city ordinance expires one year from the most recent incentive pay activation)
- D. Incentive pay expires one year from the date of activation.

404.00 PERSONNEL COMMENDATIONS

404.01 **Purpose**

This policy defines methods used for commending department personnel and civilians.

404.02 Policy

Supervisors should commend personnel for exemplary performance and/or commendable actions.

404.03 Personal Commendations

- A. Supervisors or other employees should use the Commendation incident type in Blue Team whenever a citizen makes notification by telephone, email, letter, or in person, of another employee's commendable action(s).
- B. Supervisors should also use the Commendation incident type in Blue Team to commend employees' exemplary performance or acts observed by supervisors or brought to a supervisor's attention by another employee.

404.04 Commendations for Citizens

- A. Often citizens become involved in situations and circumstances which merit departmental recognition (e.g., lifesaving, assistance to officer, citizen's arrest, etc.). Employees who become aware of such actions may address a memorandum to the chief of police detailing the incident and name of the person commended. The memorandum should be forwarded through the chain of command to the chief of police.
- B. A division commander may recommend exceptional cases be routed to the Meritorious Conduct Board for review.
- C. The Meritorious Conduct Board will review the action and forward their comments to the chief of police.
- D. The chief of police may issue a departmental letter of appreciation or, alternatively, may recommend to the city council that a proclamation be awarded.

405.00 MERITORIOUS CONDUCT BOARD

405.01 **Purpose**

The Meritorious Conduct Board will review cases involving particularly meritorious service and make recommendations for proper recognition of outstanding acts done by members of the department.

405.02 Policy

Personnel of this department will be recognized for outstanding acts.

405.03 Procedures

- A. The Board receives recommendations made by supervisory personnel of the department for the presentation of the following awards:
 - Police Medal of Honor
 - 2. Police Medal for Valor
 - 3. Meritorious Conduct Bar
 - 4. Police Commendation Bar
 - 5. Lifesaving Bar
 - 6. Police Shield
 - 7. Certificate of Merit
 - 8. Certificate of Civic Achievement
- B. The Board approves or disapproves the recommendations and if an award is merited, decides what type of award is to be given.
- C. Any department supervisor observing or receiving information regarding the action of any employee which, in the opinion of the supervisor, would qualify the employee for an award will submit such information through the chain of command to the Field Operations Bureau Chief, using the Commendation incident type in Blue Team.
- D. It is also the function of the Board to approve recommendations and, in some cases, make the choice of employees to receive awards from outside organizations or individuals.

405.04 Composition of the Board

- A. The Field Operations Bureau Chief will serve as permanent chairperson of the Board.
- B. The Board will consist of a chairperson and a minimum of six members. The membership is comprised of one captain from any division, and the balance of the Board is composed of lieutenants, sergeants, and/or police officers from different divisions, sections, or units, and a civilian member of the jail staff. The number of board members may be increased if deemed necessary by the chairperson.
- C. Terms of service are for one year and will expire January 1 of each year.

- D. The Board chairperson appoints members of the Board. The balances of any unexpired terms are filled by appointment of a new member of appropriate rank by the Board chairperson.
- E. The chairperson and four (4) members will make up a quorum.
 - 1. The chairperson of the Board will serve as presiding officer, but will have no vote except in cases of a tie vote.
 - 2. It is the responsibility of the chairperson to call meetings of the Board as often as necessary.

406.00 AWARDS

406.01 **Purpose**

This policy identifies the design of awards and the criteria for identifying those personnel eligible to receive awards granted by the Meritorious Conduct Board.

406.02 Policy

Personnel of this department are given awards for outstanding acts.

406.03 The Police Medal of Honor

- A. The Police Medal of Honor is the highest award in the department.
- B. The Medal of Honor is to be awarded to an officer who voluntarily distinguishes their self conspicuously by gallantry and extraordinary heroism. The act must be in excess of normal demands and of such a nature that the person was fully aware of the imminent threat to their personal safety and acted above and beyond the call of duty at the risk of his or her life.
- C. The award is a gold enamel bar broken by two red vertical bands.

406.04 The Police Medal for Valor

- A. The Police Medal for Valor is ranked next in prominence to the Medal of Honor.
- B. The Medal for Valor is to be awarded for exceptional bravery at imminent risk of serious bodily injury, the recipient demonstrating exceptional courage by performing a voluntary course of action in an extremely dangerous situation.
- C. The award is a blue enamel bar broken by two white vertical bands.

(The term "above and beyond the call of duty" in the qualifications for the Police Medal of Honor and the term "voluntary course of action" in the qualifications for the Police Medal for Valor disqualify all acts of courage, no matter how great, performed in the course of carrying out verbal or written orders.)

406.05 The Meritorious Conduct Bar

- A. The Meritorious Conduct bar is ranked next in prominence to the Police Medal for Valor.
- B. This bar is to be awarded for a heroic deed and exceptional meritorious conduct involving exemplary courage, risk, and danger to the recipient's personal safety.
- C. The Meritorious Conduct bar may be awarded to an officer for meritorious service in a duty of great responsibility, the duty reflecting excellence in such performance. The recipient distinguishes their self and the department in carrying out such performance.
- D. The award is a blue and white enamel bar broken by a single red vertical band. The award is worn with the white end of the bar nearest the center of the chest.

406.06 The Police Commendation Bar

- A. The Police Commendation bar is ranked next in prominence to the Meritorious Conduct bar.
- B. It is to be awarded to an officer for outstanding performance involving great risk to the recipient's personal safety while performing their duties
- C. The Police Commendation bar may be awarded to any officer, upon recommendation of their supervisor, who has received any combination totaling three (3) or more Certificates of Merit and/or Certificates of Civic Achievement. One (1) year must have elapsed after the awarding of the third such award before an employee is eligible, and recommendations must justify such continuous performance before the award is made.
- D. The Police Commendation bar may also be awarded to any officer who separates from the department under honorable circumstances.
- E. The award is a red enamel bar broken by two vertical blue bands.

406.07 The Lifesaving Bar

- A. The Lifesaving bar is ranked next in prominence to the Police Commendation bar.
- B. It is to be awarded to any officer for saving a human life. This award is intended for all officers directly responsible for saving a human life. Documentation and supporting evidence must be included to substantiate the award, such as statements from witnesses, physicians, or supervisors.
- C. This award may also be made where evidence indicates that actions by the officer(s) prolonged a human life to the extent of the victim being released to the care of medical authorities, even though the victim might expire at a later time.
- D. It may be awarded in addition to the awarding of a higher medal where the facts show the recipient is entitled to such award
- E. The award is a red and white enamel bar broken by a single blue vertical band. The award is worn with the white end of the bar nearest the center of the chest.

406.08 The Police Shield

- A. The Police Shield is ranked next in prominence to the Lifesaving bar.
- B. It is to be awarded to any police officer or other uniformed employee of this department who is seriously injured in the line of duty due to an assault
- C. It may be awarded to any police officer or other uniformed employee of this department who is seriously injured in the line of duty as a result of fires, explosions, etc.
- D. It may also be awarded in addition to the awarding of a higher award where the facts show the recipient is entitled to such award
- E. The injury must not be the result of or concurrent with any conduct of the recipient that is less than acceptable by all standards.

- F. The board may not consider injuries sustained from falls on ice, motor vehicle accidents, and the like, unless the evidence clearly indicates the employee had exhausted all reasonable safety precautions and had no control over the circumstances.
- G. The award is a blue enamel bar with a gold police shield in the center.

406.09 The Certificate of Merit

- A. The Certificate of Merit is ranked next in prominence to the Police Shield bar.
- B. It is awarded for excellence in police work
- C. The Certificate of Merit is to be awarded to an officer of any rank for outstanding performance of duties under unusual, complicated, or hazardous conditions over any period of time.
- D. It may be awarded to any officer for outstanding contributions to law enforcement through the success of difficult police projects, programs or situations, such contributions being made in a highly professional degree of accomplishment
- E. The Certificate of Merit may also be awarded to officers who distinguish themselves from their peers by consistently performing duties at a superior level.
- F. The award is a white enamel bar with two blue and red vertical bands.

406.10 The Certificate of Civic Achievement

- A. The Certificate of Civic Achievement is ranked next in prominence to the Certificate of Merit.
- B. It is to be awarded to members of the department, civilian and sworn, who bring favorable recognition to the department through their involvement in civic affairs while acting in the capacity as a member and representative of the police department
- C. It may be awarded to members of the department, civilian and sworn, for exceptional acts of altruism.
- D. The award is a red enamel bar with two white and two blue vertical bands.

406.11 The Supervisor of the Year Bar

- A. The Supervisor of the Year bar is ranked next in prominence to the Certificate of Civic Achievement.
- B. It is to be awarded to the supervisor named Supervisor of the Year at the annual awards banquet
- C. The award is a white enamel bar with two green and red vertical bands and a gold star in the center.

406.12 The Officer of the Year Bar

- A. The Officer of the Year bar is ranked next in prominence to the Supervisor of the Year bar.
- B. It is to be awarded to the officer named Officer of the Year at the annual awards banquet

C. The award is a white enamel bar with two green and red vertical bands and a red star in the center.

406.13 The New Officer of the Year Bar

- A. The New Officer of the Year bar is ranked next in prominence to the Officer of the Year bar.
- B. It is to be awarded to the officer named New Officer of the Year at the annual awards banquet
- C. The award is a white enamel bar with two green and red vertical bands and a red triangle in the center.

406.14 The TCOLE State of Texas Achievement Award

- A. The TCOLE State of Texas Achievement Award is ranked next in prominence to the New Officer of the Year bar.
- B. It is to be awarded by the Texas Commission on Law Enforcement to qualified selected peace officers, reserve law enforcement officers, detention officers or telecommunicators who are licensed by TCOLE
- C. Recipients have exceeded the normal expectations of job performance through acts of professional achievement, public service, or valor.
- D. Nominations are submitted by an elected official of the state, an elected official of a political subdivision, an administrator of a law enforcement agency, or a person holding a current license by TCOLE and recipients are determined by TCOLE.
 - 1. The Professional Achievement Award is a blue and white enamel bar. The award is worn with the white end of the bar nearest the center of the chest.
 - 2. The Public Service Award is a red, white, and blue enamel bar. The award is worn with the blue end of the bar nearest the center of the chest.
 - 3. The Valor Award is a red and white enamel bar. The award is worn with the white end of the bar nearest the center of the chest.

406.15 The Advanced Certificate Bar

- A. The Advanced Certificate bar is ranked next in prominence to the TCOLE State of Texas Achievement Award.
- B. The Advanced Certificate bar is awarded automatically to sworn officers who have met state requirements for advanced certification and have been issued an advanced certificate from the Texas Commission on Law Enforcement.
- C. The award is a red enamel bar with two white diagonal bands in the center which are separated by a single blue diagonal band.

406.16 The Master Peace Officer Bar

A. The Master Peace Officer bar is awarded to sworn officers who have met state requirements for certification as a Master Peace Officer as set by the Texas Commission on Law Enforcement.

- B. The award is worn in place of the Advanced Certificate bar.
- C. The award is a blue enamel bar with red and white vertical stripes.

406.17 The Safe Driver Bar

- A. The Safe Driver bar is ranked next in prominence to the Advanced Certificate or Master Peace officer bar.
- B. All members of the department who currently, or have been assigned to a position which requires driving department vehicles as part of the daily function of the position are eligible for this award. An employee may be assigned a position that does not require driving a department vehicle each day, yet responsibilities will require frequent use of a department vehicle during the period of assignment as directed by his or her supervisor or commanding officer. In such instances, the assignment will not render the employee ineligible to accumulate time toward this award.
- C. This award is based upon five-year increments. The years are to be consecutive. To receive a five-year award, a person must have five (5) consecutive years without a preventable accident or damage incident. To receive a ten-year award, a person must have ten (10) consecutive years without a preventable accident or damage incident. To receive a fifteen (15) year award, a person must have fifteen (15) consecutive years without a preventable accident or damage incident, etc. No previously issued award will be canceled. When an employee has been charged with an accident, the day following the accident, a new increment begins.
- D. The award is a white enamel bar, broken by two green vertical bands with a gold shield in the center bearing a numeral in increments of five (5).

406.18 The Perfect Attendance Bar

- A. The Perfect Attendance bar is ranked next in prominence to the Safe Driving bar.
- B. The Perfect Attendance bar is to be awarded automatically to officers who distinguish themselves by perfect attendance.
- C. This award is based upon five year increments. The years are to be consecutive. To receive a five-year award, an officer must have five consecutive years without taking any sick leave. Sick leave consisting of four (4) hours or less per duty day, will not be considered (partial usage is not cumulative). The use of dependent sick leave will not negate the employee's eligibility to receive the award. To receive a ten-year award, an employee must have ten consecutive years without taking any sick leave, etc. No previously issued award is cancelled. When an employee has taken sick leave, the day following the sick leave begins a new increment.
- D. Any break in service or leave of absence without pay will require the officer to begin a new increment. Disciplinary suspension is not considered.
- E. A record of each employee's sick leave is maintained by department payroll assistants.
- F. The award is a white enamel bar broken by two yellow vertical bands with a gold shield in the center bearing a numeral in increments of five (5).

406.19 The Marksmanship Bar

A. The Marksmanship bar is ranked next in prominence to the Perfect Attendance bar.

- B. It is to be awarded to officers who distinguish themselves as outstanding marksmen by shooting a score of 90 or better during their scheduled firearms training.
- C. The Marksmanship bar is a white enamel bar with two vertical blue bands. Additional bars are the same bar bearing a numeral in increments of five (5) placed in the center of the bar.
- D. An officer qualifies for the Marksmanship Award by shooting a score of 90 or better on the marksmanship score during their scheduled firearms training. The first time the officer qualifies for the Marksmanship bar, the officer is awarded their first bar.
- E. As further recognition of an officer's marksmanship ability, they may be awarded this bar in increments of five. To receive a five (5) Marksmanship bar, the officer must qualify for the bar five (5) times. To receive a ten (10) Marksmanship bar, the officer must qualify for the bar ten (10) times. To receive a fifteen (15) Marksmanship bar, the officer must qualify for the bar fifteen (15) times. The officer can continue receiving new bars in increments of five.

406.20 The Police Training Officer Bar

- A. Officers designated as Field/Police Training Officers by the Personnel and Training Lieutenant are issued the FTO Bar.
- B. The FTO bar is to be worn as long as the officer is assigned as a Field/Police Training Officer.
- C. The bar is green enamel broken by two gold bands with a white oval in the center bearing "FTO".
- D. Officers may be considered to receive a permanent FTO bar when they have:
 - 1. Completed a department approved Field/Police Training Officer school
 - 2. Served in the Field/Police Training Officer program for two years and had any combination of recruits totaling five months of actual training
 - 3. Received a favorable recommendation from the Field/Police Training program coordinator for award of the permanent FTO bar. The coordinator will evaluate the officer using the Field/Police Training Applicant Evaluation Form and base their recommendation on the results.
- E. The Personnel and Training Lieutenant will make the determination for the award of the permanent FTO Bar. A denial is forwarded to the Field Operations Bureau Chief for review.
- F. The permanent FTO bar is worn above the name tag ranked next in prominence to the Marksmanship bar.

406.21 The Explosive Ordnance Disposal Bar

- A. The EOD bar is ranked next in prominence to the permanent FTO bar.
- B. The bar will be awarded permanently upon recommendation of the unit commander once the officer has left the unit having served a minimum of three years.
- C. The bar is red enamel broken by two gold bands with a gold oval in the center bearing "EOD".

406.22 The Tactical/Sniper Bar

A. The Tactical/Sniper bar is ranked next in prominence to the EOD bar.

- B. The bar will be awarded permanently upon recommendation of the unit commander once the officer has left the unit having served a minimum of three years.
- C. The bar is black enamel with S.W.A.T. on the bar.

406.23 The Drug Recognition Expert Bar

- A. The Drug Recognition Expert bar is ranked next in prominence to the permanent Tactical/Sniper
- B. The D.R.E. bar is awarded to sworn officers who have completed the necessary training in the Drug Recognition Expert Program and are certified by the Texas Commission on Law Enforcement as a Drug Recognition Expert.
- C. The award is navy blue enamel, broken by two gold vertical bands, with the letters "DRE" in gold in the center.

406.24 The Motorcycle Officer Bar

- A. The Motorcycle Officer bar is ranked next in prominence to the D.R.E. bar.
- B. The bar will be awarded permanently upon recommendation of the unit commander once the officer has left the unit having served a minimum of three years.
- C. The bar is black enamel with the motorcycle symbol in gold in the center of the bar.

406.25 The K-9 Bar

- A. The K-9 bar is ranked next in prominence to the Motorcycle Officer bar.
- B. The bar will be awarded permanently upon recommendation of the unit commander once the officer has left the unit having served a minimum of three years.
- C. The bar is black enamel with "K-9" in the center.

406.26 The Unmanned Aircraft Systems Pilot Bar

- A. The UAS Pilot bar is ranked next in prominence to the K-9 bar.
- B. The bar will be awarded permanently upon recommendation of the unit commander once the officer has left the unit having served a minimum of three years.
- C. The bar is black enamel with "PILOT" on the bar.

406.27 The Crisis Negotiator Bar

- A. The Crisis Negotiator bar is ranked next in prominence to the UAS Pilot bar.
- B. The bar is awarded upon successful completion of the Crisis Negotiation Certification course.
- C. The bar is worn as long as the officer actively participates as a Crisis Negotiator.

- D. The bar is temporary and will remain the property of the department until such time as it is awarded to the officer on a permanent basis.
- E. The bar will be awarded permanently upon recommendation of the unit commander after a minimum of three years of service on the Crisis Negotiation Team.
- F. The bar is blue enamel with "NEGOTIATOR" in red on the bar

406.28 The Mobile Field Force Bar

- A. The Mobile Field Force bar is ranked next in prominence to the Crisis Negotiator bar.
- B. The bar is worn as long as the officer actively participates in the Mobile Field Force.
- C. The bar is temporary and will remain the property of the department until such time as it is awarded to the officer on a permanent basis.
- D. The bar will be awarded permanently upon recommendation of the unit commander after a minimum of three years of service on the Mobile Field Force.
- E. The bar is black enamel broken by two gold vertical bands with a gold oval in the center bearing "MFF".

406.29 The P.R.I.D.E. Bar

- A. The P.R.I.D.E. bar is ranked next in prominence to the Mobile Field Force bar.
- B. Officers designated as P.R.I.D.E. officers by the Community Services Division commander are issued the P.R.I.D.E. bar.
- C. The bar is worn as long as the officer actively participates in the P.R.I.D.E. program.
- D. The bar is temporary and will remain the property of the department until such time as it is awarded to the officer on a permanent basis.
- E. Should an officer be removed from the P.R.I.D.E. program, the officer will no longer be authorized to wear the bar unless it has been awarded on a permanent basis.
- F. Officers may be awarded the permanent bar when they have:
 - 1. Completed a departmental P.R.I.D.E. training course
 - 2. Successfully participated in the P.R.I.D.E. program for a period of two schools years and taught a minimum of 50 classes
 - 3. Completed a TCOLE approved instructor's course
 - 4. Submitted qualifications via memo to the Community Services Division Commander who will approve or deny the request
- G. The bar is navy blue enamel with a white oval in the center, bearing the P.R.I.D.E. logo which is navy blue in color and outlined in gold.

406.30 The Honor Guard Bar

- A. The Honor Guard bar is ranked next in prominence to the P.R.I.D.E. bar, and is to be awarded to officers who have actively participated in the Irving Police Department Honor Guard for a period of one (1) year and during that year:
 - 1. Attend all regularly announced practices with no more than one (1) unexcused absence
 - 2. Attend as many Honor Guard functions, (e.g. funerals, parades, etc.), as time and duty schedules will allow
 - 3. Maintain Honor Guard uniform and related equipment in excellent condition and be prepared to participate and perform in Honor Guard functions as needed
- B. The Honor Guard bar awarded at the end of the one-year period is temporary and will remain the property of the Irving Police Department until such time as it is awarded to the officer on a permanent basis.
- C. Officers are awarded the permanent Honor Guard bar when they:
 - 1. Actively participate in the Irving Police Department Honor Guard for a period of 24 months (need not be consecutive if duty assignment precludes participation) and during that period meet all the criteria as outlined for the temporary Honor Guard bar above with no more than one (1) unexcused absence per year
- D. Any officer meeting the requirements outlined to receive the temporary or permanent Honor Guard bar should submit a memo through their respective division chain of command to the Special Operations Division Commander requesting the bar. The Special Operations Division Commander will make the determination for the award of the temporary or permanent Honor Guard bar.
- E. The bar is white enamel with 2 red and 2 blue vertical bands. The words "Honor Guard" are printed in the center of the bar

406.31 The Explorer Advisor Bar

- A. The Explorer Advisor bar is ranked in prominence next to the permanent Honor Guard bar.
- B. The Explorer Advisor bar is awarded to sworn officers who:
 - 1. Are currently serving in an advisor or assistant advisor capacity
 - a. Awarded permanently for two (2) years of service as advisor or assistant advisor, or:
 - 2. Participate in the Boy Scouts of America Exploring Ride-Along Program or other approved activity and has accumulated a minimum of 100 ride-along hours with Explorers
 - a. Awarded permanently for above participants that have accumulated a minimum of 200 hours in ride-along program or other approved activity
- C. The award is royal blue enamel, broken by two gold vertical bands, with the B.S.A. Law Enforcement Exploring national logo in gold in the center.

406.32 The Military Service Bar

- A. The Military Service bar is ranked next in prominence to the Explorer Advisor bar.
- B. The bar will be issued to personnel honorably discharged from military service in one of the U.S. military branches (e.g., Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or Reserves)
 - To apply for the Military Service bar employees must provide a copy of their U.S. Department of Defense Form DD214.
- C. If veterans have served in more than one service, only one (1) Military Service bar may be worn.
- D. The bar has a blue enamel field with white stars and red and white stripes with the branch of military service written on the white stripe.

406.33 The Detention Officer Training Bar

- A. The Detention Officer Training bar is awarded to detention officers, who because of their knowledge and expertise in jail operations, are selected as training officers for new jail employees.
- B. The award is worn only while employed as a civilian detention officer. If the recipient is hired later as a commissioned officer, the bar will not be worn on the police uniform.
- C. The award is dark blue enamel with the letters "T.O." centered in the bar.
- D. The division commander will make the determination for the award of the permanent "T.O." bar. A denial is forwarded to the Administrative Services Bureau Chief for review.

406.34 Qualification Pins

- A. Service/unit pins must be submitted to the Uniform Committee and approved by the chief of police or designee. Only approved pins may be worn on the uniform.
 - 1. Upon approval, service/unit pins will be worn centered in a line one-quarter (1/4) inch above the name plate.
 - 2. Personnel qualified in the specialty for which a pin has been authorized shall be permitted to wear the unit pin while assigned to the unit.
 - 3. A pin will not be worn after a permanent bar is awarded for tenure in the assignment.
 - 4. Only one pin will be worn at a time.
 - 5. Pins will only be worn on the class A or B uniform.
- B. Approved service and unit pins are:
 - 1. EOD
 - Patrol K-9
 - 3. Motors
 - 4. Tactical/Sniper

5. UAS Pilot

406.35 Award Bars from Outside Agencies

- A. Officers desiring to wear a bar awarded to them by an outside agency will request in writing, to the Meritorious Conduct Board, for approval.
- B. The request will include:
 - 1. The agency making the award,
 - 2. Purpose of the award,
 - 3. Description of the bar

406.36 Awards Presentation and Display

- A. The Police Medal of Honor, the Police Medal for Valor, the Meritorious Conduct bar, the Police Commendation bar, the Lifesaving bar, the Police Shield, the Certificate of Merit, and the Certificate of Civic Achievement are presented by the chief of police.
- B. The Supervisor of The Year, Officer of The Year, and New Officer of The Year bars are awarded at the annual awards banquet.
- C. The Master Peace Officer bar, Advanced Certificate bar, the Safe Driver award, and the Perfect Attendance bar are presented by an assistant chief.
- D. The Marksmanship Award, F.T.O. bar, Explosive Ordnance Disposal bar, Tactical/Sniper bar, Drug Recognition Expert bar, Motorcycle Officer bar, K-9 bar, Unmanned Aircraft Systems Pilot bar, Crisis Negotiator bar, Mobile Field Force bar, P.R.I.D.E. bar, Honor Guard bar, Explorer Advisor bar, Military Service bar, and Detention Officer Training bar are presented by the officer's division/section commander.
- E. The TCOLE State of Texas Achievement Award will be presented at the annual TCOLE State of Texas Law Enforcement Achievement Awards ceremony.
- F. Awards will only be worn on the class A or B uniform. A single award is worn immediately above and centered on the uniform nameplate. If two awards are worn, the awards are worn immediately above and centered on the nameplate, with the higher award worn closest to the center front of the wearer's shirt. The progression will continue until a maximum of two (2) awards are worn in line. The third award is worn centered immediately above the first two, worn next to the nameplate. The highest award is worn on the top row with no more than two awards in a single row. Should an employee have occasion to wear more than eight (8) awards, the awards will then be worn three in line. Awards are spaced no further than one quarter inch (1/4") apart from other awards with the bottom row of awards spaced no further than one quarter (1/4") from the nameplate.
 - 1. Uniformed employees may choose not to wear their awards with the exception of formal occasions or when directed by the chief of police.
- G. Any officer having been awarded any medal from the Irving Police Department, Meritorious Conduct Board is permitted to wear the award(s) while he or she is a member of the department. Any officer having terminated their commission with the department will retain the awards in their possession. Should the officer return to commissioned status with the department, they will retain

- the right to wear the award(s) they may have earned during their previous tenure as well as to possess and to wear any recognized award earned during their current employment period.
- H. Officers having been employed by another law enforcement agency which uses an award system but displays a different medal design may, in writing, request the Meritorious Conduct Board review those awards earned and investigate whether the officer may be awarded the right to wear a compatible Irving Police Department medal.
- I. Each member of the Police Reserve Unit is eligible for all awards, except the Perfect Attendance bar, Supervisor of the Year, and New Officer of The Year.
- J. Uniformed civilian employees are permitted to wear all awards on their uniform that they are qualified to wear or have received as an Irving Police Department employee.
- K. Except for non-applicable awards (i.e., Marksmanship, Master Peace Officer, etc.) it is the Meritorious Conduct Board's decision whether or not a civilian employee qualifies for a particular award. Incidents involving civilian employees should be submitted to the board for consideration.

406.37 Subsequent Awards

- A. Officers who have been previously awarded any of the awards listed (except Officer of the Year and Supervisor of the Year) are issued a star(s) to denote subsequent awards. The star(s) are centered on the applicable bar.
 - 1. Officers who receive subsequent Officer of The Year or Supervisor of The Year Awards will not receive an additional bar nor add a star to their previously awarded bar.
- B. Employees are not to wear two bars awarded for the same award.

406.38 Annual Awards

- A. The police department hosts an annual awards banquet to honor those members of the department who are chosen to receive awards for outstanding service to the community and to the department.
 - 1. It is the responsibility of all department personnel to nominate those who have displayed superior work and fulfill the qualifications for departmental awards.
 - 2. Nominations should be submitted in writing through the chain of command. A separate memorandum must be submitted for each nomination.
 - 3. Each nomination should be accompanied by all available supporting documentation or should be referenced in such a way that it can be easily located.
- B. Awards are presented as follows:
 - 1. Officer of the Year -- Presented to a police officer who has served as a sworn officer of the department for a minimum of two years as of December 31 and has shown outstanding service to the community and department.
 - a. Officer of the Year candidates will consist of the previous Officer of the Quarter winners and any additional officers nominated by their peers or supervisors.
 - b. Officer of the Year is selected by a democratic vote completed by all sworn police officers.

- 2. New Officer of the Year -- Presented to a police officer who has served as a sworn officer for less than two years as of December 31 and has shown outstanding service to the community and department.
 - a. New Officer of the Year candidates are nominated by their supervisor and selected by the captains.
- 3. Supervisor of the Year -- presented to a sworn supervisor below the rank of assistant chief who has served as a supervisor in this department for a minimum of two years as of December 31. Performance must indicate the supervisor's work benefited the department and the community beyond normal work expectations.
 - a. Supervisor of the Year candidates may be nominated by anyone within the police department regardless of their rank and is selected by the assistant chiefs and chief of police.
- 4. Civilian Employee of the Year -- presented to a civilian employee who has shown outstanding service to the community and department.
 - a. Civilian Employee of the Year candidates will consist of the previous four Civilian Employee of the Quarter winners and any additional civilian employees nominated by their peers or supervisors.
 - b. Civilian Employee of the Year is selected by a civilian committee consisting of at least one civilian representative from each bureau.
- 5. Chief's Unit Award May be given to any unit of department personnel consisting of two or more persons. This definition of "unit" shall remain flexible. As an example, a unit may be composed of a clearly defined organizational unit such as a patrol shift, or it may also be described as a collection of individuals from different divisions that have worked jointly on a single operation. As a group, however, its performance should be clearly exceptional and well above average. It will closely follow criteria for individual annual awards but is applied to the group as a whole.
 - a. Recommendations for this award may be made by any member of the department and is forwarded to the chief of police for final determination.
 - b. There is no limit on the number of these awards that may be given during any one year. The actions that the recommendation is based on should have been concluded prior to December 31.
 - c. Nominations for this award may be submitted at any time during the year but is awarded at the next annual awards banquet.

C. Criteria for Annual Awards

- 1. Work Attitude: Does this person approach assignments with an air of enthusiasm? Does he or she enjoy his or her work? Are jobs accomplished without offering excuses? Is criticism accepted or offered as constructive? Does the person react in a courteous and friendly manner in day-to-day contacts? Does he or she perform various operational duties in an exemplary manner following policies established by the department?
- 2. Professionalism: How are jobs approached or established procedure followed? Does this person, in your opinion, represent the department better than other officers or civilians?
- 3. Cooperation with peers, supervisors, and the public: does this person willingly offer unsolicited assistance to fellow workers? Is help offered to supervisors by offering to take

- on unpleasant assignments? Does he or she willingly aid other persons needing advice or experiencing problems?
- 4. Work Production: Is the work output of this person above that of peers?
- 5. Personal conduct: Is the person's conduct, both on and off-duty, in line with that expected of persons in such positions?

406.39 Civilian Employee of the Quarter Award

- A. Any employee (civilian or commissioned) may submit a recommendation for a civilian employee to be considered for the outstanding Employee of the Quarter award. The recommendation is made in writing to the employee's immediate supervisor outlining the specific incident or qualities and accomplishments displayed by the employee during a calendar quarter.
- B. The divisional supervisors will review individuals nominated during the quarter and select a single finalist and submit their recommendation to the division commander by the 5th day of the month. The finalists from each division/section are evaluated by a committee of all division commanders with one employee selected by the 15th day of the month for the previous quarter. The chief of police will designate one division commander as chairperson of the committee. The name of the civilian employee is sent to the chief of police for posting.

406.40 Officer of the Quarter Award

- A. Any employee (civilian or commissioned) may submit a recommendation for a sworn full-time officer to be considered for the Officer of the Quarter award. The recommendation is forwarded in writing to the officer's immediate supervisor outlining the specific incident, qualities, and/or accomplishments displayed by the employee during the quarter. The recommendations are forwarded to the Meritorious Conduct Board.
- B. The Meritorious Conduct Board will choose the Officer of the Quarter from those officers nominated and officers who have received a meritorious conduct award during that quarter.

406.41 Retiree Shadow Box

- A. The police department has a long standing tradition of gifting newly retired employees with a shadow box to commemorate their service to the community and the organization. The defined standards regulating this gift are as follows:
 - 1. With the exception of the chief of police, each employee must have a minimum of 20 years' service with TMRS and a minimum of 15 years' service with the City of Irving.
 - a. The chief of police must have a minimum of 20 years' service with TMRS and 10 years' service with the City of Irving.
 - 2. The maximum size of the shadow box to be paid for by the Irving Police Department will be 24" x 30".
 - 3. The standardized list of items to be placed in the shadow box will include the retirees badge or badges, epaulets, shoulder patches, service awards, nameplate, city service pins, collar ornaments, service stripes, and a name plate with the years of service.
 - 4. The newly retired employee will have the option to deviate from the standardized size or items list if they make arrangements to personally pay the cost difference directly to the department's vendor.

406.42 Purchase of Firearm and Breast Badge by Honorably Separated or Retired Police Officer

A. Definitions

Duty weapon: firearm that the police department previously issued to an officer making a request to purchase a firearm under this policy; the term excludes prohibited weapons under Section 46.05 Penal Code

Honorably retired police officer: a sworn Irving officer who did not retire in lieu of disciplinary action or while under investigation and is eligible to receive either a pension for service as a law enforcement officer in Texas or a City of Irving disability pension

Honorably separated police officer: a sworn Irving officer with at least ten years of service at the Irving Police Department who did not separate in lieu of disciplinary action or while under investigation and is not eligible to receive either a pension for service as a law enforcement officer in Texas or a City of Irving disability pension

B. Eligibility

- 1. An honorably retired police officer or an honorably separated police officer may make a written request to the chief of police to purchase their breast badge and/or duty weapon.
- 2. An approved firearm purchase for honorably retired police officers must be made before the second anniversary of the date of the officer's retirement.
- 3. An approved firearm purchase for honorably separated police officers must be made within 30 days of their last day of employment.
- 4. The chief of police may delay the sale of an approved firearm purchase until the firearm can be replaced.

C. Procedures

- 1. If the chief of police approves a badge and/or firearm purchase request for an honorably retired police officer who qualifies for a City of Irving disability pension or who has at least ten years of service at the Irving Police Department, the Purchasing Department will determine the purchase price based on the lesser amount of:
 - a. The fair market value; or
 - b. Its original cost depreciated by 10 percent for each year of service of the officer
- 2. If the chief of police approves a badge and/or firearm purchase request for an honorably retired police officer who does not qualify for a City of Irving disability pension and has less than ten years of service at the Irving Police Department, the badge and/or firearm shall be sold at its fair market value.
- 3. If the chief of police approves a badge and/or firearm purchase request for an honorably separated police officer, the badge and/or firearm shall be sold at its full replacement value.

407.00 SECONDARY POLICE SERVICE / OFF-DUTY EMPLOYMENT AND WORK HOUR RESTRICTIONS

407.01 **Purpose**

This policy provides employees with guidelines for employment in secondary police service and off-duty employment.

407.02 Policy

This agency will allow employment in secondary police service and off-duty employment that does not negatively impact or reflect upon the agency, or adversely impact an employee's ability to perform his or her regular duties.

407.03 Definitions

Coordinator: The employee responsible for, but not limited to, scheduling, payroll, departmental contact/liaison for any secondary police service.

Limited Duty: Any regularly scheduled work day where the following leave is used: sick leave, injury leave, light duty, or absent without pay.

Off-Duty Employment: Any non-police related business, position, function, or job where an employee works on a commission, percentage, salary, or receives compensation from any person, firm, or corporation other than the City of Irving

Secondary Police Service: Secondary employment that requires the officer to act in the capacity of a police officer

Work Hours: The total of on-duty time, shift exchanges, overtime, accrued compensatory time, and any secondary police service employment.

407.04 Work Hour Restrictions

- A. The number of work hours allowed for on-duty and secondary police service is regulated.
 - 1. An employee's work hours may not exceed sixteen (16) hours in any twenty-four (24)-hour period, and
 - 2. An employee's work hours may not exceed seventy (70) hours in any seven (7) day period.
 - 3. Vacation, holiday, and/or used compensatory time do not count toward total work hours.
 - 4. These limitations do not apply to apartment security.
 - 5. Time restrictions imposed by this section regarding 407.05, apply only to sworn personnel, detention officers, and dispatchers.
 - 6. Deviations from this provision must be approved by a division commander.
- B. Off-duty employment or secondary police service is secondary to official duty with the department, and no member of the department will allow factors such as fatigue or excessive involvement with outside employment to affect their performance with the department. The

privilege to work secondary police service and off-duty employment may be suspended if performance with the department is affected.

407.05 Off-Duty Employment and Secondary Police Service Guidelines

- A. Employees are not allowed to hold employment in secondary police service or in an off-duty capacity that would bring the city into disrepute, reflect discredit upon the individual as an employee of the city, or interfere with the employee's performance at the city or result in a conflict of interest or potential conflict of interest.
- B. No officer of the department is allowed to own, operate, or work in a place of business in any offduty capacity where the principal business is dispensing alcoholic beverages.
- C. Officers are allowed to work secondary police service in businesses where the principal business is dispensing alcoholic beverages.
- D. Officers are not allowed to perform any work collecting payment of any kind.
- E. All secondary police service employment, regardless of the duration or number of officers working, requires a "coordinator."
 - 1. Whenever the coordinator for a job changes, the new coordinator is required to submit a new work request noting the change in coordinators.
 - A sergeant may not work for a police officer coordinator within the same division. Lieutenants and above may not work for a coordinator of lesser rank (bureau chiefs may make exceptions under extreme or unusual circumstances). The following exceptions apply to this policy:
 - a. Events originating from the Special Events Section of the police department, or
 - b. When a supervisor is required as explained in paragraph 407.07 below
- F. No employee of the department will accept employment with nor be financially invested in any private detective agency. Employees of the department will not engage in any work requiring surveillance for a private agency or individual on civil or criminal cases. (This does not apply to working in stores to prevent thefts, burglaries, and robberies.)
- G. At the discretion of the Personnel and Training Lieutenant or designee, probationary police officers, while in training, are eligible to work secondary police assignments coordinated by the Special Events Coordinator or department designee under the following circumstances:
 - The probationary officer in training is a previously licensed lateral peace officer that has received training in traffic direction and arrest, search and seizure at the Irving Police Training Academy in-service class; or
 - A non-lateral probationary police officer in training that has completed the Basic Peace
 Officer Course, the Irving Police Training Academy in-service class and the "A phase" of
 field training.
 - 3. Non-lateral probationary officers in training will be directly supervised by a sworn department supervisor and paired with a non-probationary sworn Irving Police employee at all times.
- H. Employees are to adhere to the policies of the department while working any secondary police service or off-duty employment.

407.06 Secondary Police Service Restrictions

- A. Officers on limited duty status will not be allowed to perform secondary police service.
- B. Officers are prohibited from secondary police service outside the Irving city limits, unless approved by the chief of police.
- C. Officers will wear their uniform while performing any secondary police service.
 - If a request is made by the employer for the officer(s) to be in plain clothes, the coordinator for that job will make the request to their division commander. That division commander will determine whether plain clothes are authorized, and that authorization will apply to all officers working the job.

407.07 Secondary Police Services Requiring More Than Three Officers

- A. Events requiring more than three Irving Police Officers to work simultaneously will require a supervisor.
- B. For events requiring 12 or more officers refer to the Special Operations Division SOP.
 - 1. Supervisors in charge of such events will notify, in writing, the appropriate Patrol Division Commander of secondary police services requiring 12 or more officers to work simultaneously.

407.08 Apartment Security

- A. Officers may be approved to work apartment security; however, all civil disputes are to be handled by the parties involved. In order to preserve the peace, an on-duty officer will be called if needed.
- B. Off-duty enforcement is in accordance with the General Order pertaining to Off-Duty Enforcement.

407.09 Secondary Police Service / Off-Duty Employment Request

- A. Unless the secondary police service employment is coordinated through the Special Event Sergeant, all employees are required to complete a "Request for Secondary Police Service / Off-Duty Employment" form, submitted through Blue Team, before accepting secondary police service or off-duty employment.
 - 1. If there is not sufficient time for a "Request for Secondary Police Service / Off-Duty Employment" form to be submitted through the chain of command, the employee will, at minimum, contact a supervisor from the requesting employee's division for approval prior to working the job. If it is a supervisor requesting to work the secondary police service or off-duty employment job they will need to contact a supervisor of the next highest rank or higher. The name of the approving supervisor will be noted in the Blue Team entry.
 - 2. Employees will list the specific days and hours of the secondary police service or off-duty employment on the form.
 - a. If the employee is an alternate, or the days and hours to be worked vary, an average of the hours to be worked should be entered in the space provided for

- days and hours of the employment. If the "Request for Employment" is for apartment security the days and hours worked is not required.
- b. The job end date should be the actual date unless the job carries through the end of the year in which case December 31 will be used.
- c. If the secondary police service job is coordinated through the Special Event Sergeant the employee shall inform their immediate supervisor that they are performing the job at the earliest opportunity.
- B. Upon receiving a Request for Employment form, the supervisor will check for any potential violations using El Pro and/or the current secondary police service / off-duty employment database, approve/disapprove and forward through the chain of command to the division commander using Blue Team
- C. The request is valid for the effective and termination dates noted on the form.
 - 1. Any change that either shortens or extends the approved time requires the employee to submit an updated form.
 - 2. A new form must be submitted each January 1st.
 - The Professional Standards Section will maintain a database of current approved employment requests. Original requests, regardless of disposition, are electronically filed and maintained for two years.

407.10 Traffic Safety Grants

- A. Procedures related to the administration of the traffic safety grants are found in the Traffic Section Standard Operating Procedures.
- B. Administration of the traffic safety grants will be handled in the Special Operations Division by the Traffic Lieutenant, and to the best of our ability to follow the guidelines given by the State of Texas for traffic safety grants.

407.11 Department Notification of Incident

A. Employees will immediately report in writing any incidents or situations arising from, or connected with, their outside employment that might adversely affect the department or its personnel.

407.12 Exceptions

A. The department reserves the right to make exceptions to this policy to meet the needs of the department during exceptional situations.

408.00 TEMPORARY ASSIGNMENT IN NEXT HIGHER GRADE

408.01 **Purpose**

This policy establishes a procedure allowing the chief of police to make temporary assignments in the next higher grade.

408.02 Policy

When deemed necessary, the chief of police may make temporary appointments to a higher classification.

408.03 Eligibility

- A. The chief of police may designate an employee from the next lower classification to fill a position in a higher classification temporarily.
- B. The temporary performance of duties in the higher position by an employee who has not been promoted pursuant to Chapter 143 or Irving City Policies and Procedures is not a promotion.

408.04 Compensation

A. An employee designated to fill a higher position must be paid the base salary of such higher position plus his or her own longevity pay while he or she fulfills the duties of the higher position.

409.00 SPECIALIZED EQUIPMENT, VEHICLE, AND SUPPLIES

409.01 **Purpose**

This policy establishes appropriate guidelines for the inspection and maintenance of specialized vehicles, equipment, and supplies.

409.02 Policy

The department will regularly inspect and document any deficiencies in specialized equipment. Specialized vehicles, equipment, and supplies are to be maintained to adequately respond to unusual events and conduct proper investigations at all times.

409.03 Definitions

Specialized equipment, vehicles, and supplies: Those vehicles, equipment and supplies which are not used regularly on a daily basis, or that is kept for use during emergencies, natural or man-made disasters, or to respond to unusual situations.

409.04 Procedures

- A. Each section of the department may be assigned specialized equipment, specialty vehicles, and supplies to be used in emergencies and unusual situations.
- B. The commander of each section of the department is responsible for ensuring at least quarterly inspections of all special use vehicles, equipment, and supplies assigned to them. Such inspections shall be documented on a check list indicating the description of the item, vehicle, or supplies checked, the condition, the date of the inspection, and the signature of the inspecting employee.
- C. The commander of each section in the department shall review the quarterly inspection and correct any deficiencies noted, (to include ordering of replacement supplies) ensuring complete operational readiness of assigned equipment, vehicles, or supplies. A copy of each quarterly check list shall be forwarded to the bureau chief for review with the original maintained by the division commander.
- D. The following departmental sections are responsible for the inspection and maintenance of the listed specialized equipment, vehicles, and supplies and any other items assigned to their respective units that meets the definition.
 - 1. Traffic Section:
 - a. Speed Trailers
 - Tactical Section:
 - a. Bear Armored Vehicle
 - b. Bomb Vehicle
 - c. Bomb Suit
 - d. Bomb Robot
 - e. X-ray Equipment

f. All Specialized weapons and munitions Hostage Negotiation Phone g. 3. Community Services: Skywatch Trailers a. 4. Criminal Investigations: a. Digital SLR Cameras b. Trajectory Kit c. **Evidence Marking Kit** d. Major Crime Scene Kit e. Blood Tests Kit f. Latent Print Kit 5. Training: **Training Weapons** a. b. Duty and Training ammunition Range training supplies C. d. TASER training cartridges 6. Jail: Self-Contained Breathing Apparatus a. 7. Special Investigations: Surveillance Van a. b. Tracking Equipment 8. Emergency Management: Mobile Command Post a. b. 600Kw Portable Generator c. Satellite Trailer d. Electrical Equipment Trailer 9. Non-issued portable radios a.

b.

Non-issued firearms inventory

410.00 INJURED EMPLOYEES

410.01 **Purpose**

This policy outlines procedures for reporting on-duty employee injuries.

410.02 Policy

Employees will be responsible for the reporting of on-duty injuries to their supervisors.

410.03 Procedure for Reporting Occupational Injuries

A. Employees Responsibilities:

- 1. Employees will report any injuries, regardless of the degree, sustained on duty to their immediate supervisor as soon as possible but no later than the end of shift. Failure to report any injury or accident may be the basis for denial of salary continuance benefits and/or disciplinary action.
- 2. Employees injured on duty who require treatment by a physician will obtain an Injury Treatment Authorization form from their supervisor. The employee and supervisor must both sign this form. The form should be scanned and emailed to Risk Management as soon as possible and the original should be sent through inter-office mail to Risk Management.
- 3. Employees returning to work after injury leave must provide a written release Injury Treatment Authorization to their supervisor from the attending physician indicating the officer's fitness to return to duty, stipulating the type of duty permitted, the specific limitation, if any, and the date of release from medical care.

B. Supervisors Responsibilities:

- Supervisors will ensure that a completed "Report of Injury to an Employee" report is completed and emailed to Risk Management within 24 hours. The original should be sent through inter-office mail to Risk Management. If possible, the report should be completed by the injured employee. If the employee is unable to complete the form for whatever reason, a supervisor will complete the form, giving the employee's version of the incident.
- C. In circumstances where it is unclear as to the duty status of an employee, the supervisor will complete the necessary paperwork and forward it through normal channels. The supervisor will not comment on the workers compensation claim nor discourage the filing of such claim. Decisions as to the validity of workers compensation claims are the responsibility of the City of Irving's Risk Manager.
- D. All personal injury incidents requiring medical attention will be forwarded to the Safety Review Board through an Employee Injury incident in Blue Team.
- E. Refer to the General Order regarding Notification of Serious Incidents for notification procedures on serious injuries requiring medical treatment at a hospital.
- F. Full time, civilian employees (General Government Employees) must also complete the "Salary Continuation Program" application form if they wish to apply for these payments. See the City Personnel Policies & Procedures manual for additional information.

411.00 SAFETY REVIEW BOARD

411.01 **Purpose**

This policy identifies guidelines for the Safety Review Board to use in reviewing accidents, incidents, and injuries involving employees of this agency. The Safety Review Board will also make recommendations that will aid in preventing future accidents, incidents, and injuries.

411.02 Policy

The Safety Review Board will review all aspects of fleet motor vehicle accidents, incidents, and personal injury reports requiring medical attention. The Safety Review Board will identify causes and determine if they were preventable or non-preventable.

411.03 Objective of the Safety Review Board

A. The objective of the Safety Review Board is to establish a fleet and personal safety program designed to reduce employee motor vehicle traffic accidents or incidents and personal injury, impressing upon personnel the importance of employee safety and safe driving. It is also intended to serve as a guideline for determining responsibility for motor vehicle accidents, having consistency and fairness as a goal. Thirdly, it is designed to place emphasis on the refinement of operational procedures, driver training, employee awareness, and safe working conditions.

411.04 Classifying Accidents, Incidents, and Personal Injury

- A. The Safety Review Board will classify all accidents, incidents, and personal injuries they review and determine if they were preventable or non-preventable.
- B. Incidents involving legal intervention can be judged as either preventable or non-preventable, depending on circumstances.

411.05 Composition of Safety Review Board

- A. The Administrative Services Bureau Chief will serve as the permanent chairperson of the Board.
- B. The Board will consist of a chairperson and eight members. The members will include the Traffic Lieutenant, Professional Standards Lieutenant, a member of the Training Section, and the balance of the Board will be composed of two sergeants and three officers. At least one member should have advanced accident investigation training. The legal advisor will also serve on the Board in a non-voting capacity.
- C. Accidents involving captains or assistant chiefs will be reviewed by a Board appointed by the chief of police.
- D. Terms of office will be for one year and will expire January 1 of each year.
- E. Members of the Board are appointed by the chairperson. The balance of any unexpired terms will be filled by appointment of a new member of appropriate rank by the Board chairperson.
- F. The chairperson and four (4) members will constitute a quorum.
 - 1. The chairperson will serve as presiding officer but will have no vote except for what otherwise would be a tie vote.

- 2. The Board will meet as needed, (no less than once a quarter) on a date and time selected by the chairperson. In the event that there are no incidents/accidents to review, the Board may utilize the meeting to examine trends in causative and/or contributing factors, and identify training needs or other preventive measures.
- 3. The Board will provide to the chief of police an annual summary of causative factors and remedial actions taken. This summary will include issues and trends found in accidents and make recommendations to reduce future accidents. Trends, frequency, and severity of accidents may require that this report be completed more frequently.

411.06 Procedures

- A. The Board should examine the facts and circumstances surrounding the incident or accident and, if possible, discover the cause.
- B. The Board is directed to decide whether any personal negligence is involved. Board members should consider the following:
 - 1. The degree of negligence
 - 2. Factors contributing to the accident
 - 3. Departmental policy
 - City policy
 - 5. State law
 - 6. City ordinances
- C. Each incident/accident will be accompanied by the Blue Team entry from the employee(s) involved, forwarded through the chain of command and the accident report from the officer/supervisor who investigated the accident.
- D. If an incident/accident is determined to be preventable by anyone in the employee's chain of command, the involved employee will be required to appear before the Board on his or her designated hearing date. Reasonable measures will be taken to accommodate an employee's normal work schedule.
- E. If the reports submitted do not sufficiently describe the details of the incident/accident, the Board may request further investigation.
- F. After considering the evidence, the Board will determine if the incident/accident was preventable or non-preventable, recommend driver training, (if applicable) and determine if driving restrictions are appropriate. The findings of the Board will be reduced to writing and routed to the following persons:
 - 1. The chief of police
 - 2. The employee's division commander
 - 3. The employee(s) involved in the incident/accident
- G. The Board will maintain records of their meetings.

H. Employees may appeal "preventable" decisions to the chief of police within five (5) days of receipt of the Board's findings. This shall be done via memo through the chain of command.

411.07 Responsibilities

A. Board Chairperson

- 1. Ensure that a database is maintained that contains the driving history of all employees. This database should also contain a list of all incidents and accidents presented to the Safety Review Board that includes the employee's name, date of incident, date reviewed by Board, factors, and conditions that contributed to the accident, and the disposition (preventable or non-preventable).
- 2. Ensure that a driver's license check is conducted annually on all employees
- 3. Inspect paperwork of incidents to ensure that necessary forms are attached
- 4. Present to the Board the circumstances of the incident including investigative documentation submitted by the investigating supervisor
- 5. Record all votes of the Board members
- 6. Forward findings and recommendations of the Board to the appropriate persons
- 7. Ensure all procedures are properly followed

B. Board Members

- Examine all paperwork and hear any testimony concerning the incident/accident being reviewed. Only those facts and circumstances about the incident being reviewed will be examined.
- 2. Make comments and vote as to preventability/non-preventability of the incident/accident based on facts, circumstances, and testimony presented
- 3. Make comments and vote on the need for, and type of driver training that would be most beneficial
- 4. Vote as to the recommendations for corrective action based upon prior accidents and number of occurrences
- 5. Examine incidents/accidents for trends and recommend preventable measures

411.08 Suspended Driving Privileges

- A. Officers who are involved in incidents/accidents that, based on current city policy, could result in their driving privileges being suspended will be handled in the following manner:
 - Officer will remain in assigned division in non-driving capacity until Safety Review Board rules.
 - 2. If the Safety Review Board suspends the officer's driving privileges, the Safety Review Board Chairperson will notify the officer's division commander.
 - 3. The officer's driving privileges will remain suspended until successful completion of the Smith, NAPD, or similar driver training school.

- 4. The officer's division commander will coordinate a meeting with all other division commanders to determine whether an appropriate non-driving position exists, and if so where the officer can best serve the department in a non-driving capacity.
- 5. If an appropriate non-driving assignment is identified, the officer's division commander will assign the officer TDY to the area with the greatest need.
- 6. The officer's division commander may, for personnel needs, reassign an officer on driving suspension to meet the needs of the department anytime during the officer's suspension.
- 7. This section shall not be construed as guaranteeing assignment to a non-driving position.
 - Officers are reminded that the ability to drive a city vehicle is an essential qualification for employment as a peace officer.

412.00 PERSONAL PROPERTY

412.01 **Purpose**

This policy establishes a procedure for the reimbursement to employees for personal property that is damaged.

412.02 Policy

This agency will provide reimbursement for employee's personal property that is damaged during the performance of their duties.

412.03 Reimbursement for Personal Property

- A. Employees may be reimbursed for personal property that is lost, damaged, or destroyed as a result of the performance of their duties.
 - 1. Reimbursement under this policy cannot exceed the fair market value and will not exceed \$100.00. Reimbursement for non-prescription sunglasses will not exceed \$50.00.
 - a. The fair market value will be determined by the replacement cost of the item at the time it is lost, damaged, or destroyed.
 - 2. There must be no negligence on the employee's part which contributed to the loss, damage, or destruction.
 - 3. Requests for reimbursement must be in writing (memo form), explaining the circumstances, and include the replacement cost of the item. The request will be forwarded through the chain of command to the employee's bureau chief.
- B. Personal property which is worn or used instead of departmental issued equipment, where such option is permitted, may be reimbursed at fair market value or the value of what the city-issued equipment would normally have been, whichever is less, if the item(s) is lost, damaged, or destroyed as a result of performance of their duties. Additionally, the item must be necessarily worn or carried in the course of employment.
- C. Employees may be assigned departmentally owned vehicles, lockers, desks and file cabinets. The department assumes no liability for personal items stored in or stolen from such items.

413.00 GRIEVANCES

413.01 Purpose

This policy provides employees with a guide for filing a grievance.

413.02 Policy

Employees will be allowed to air grievances with immediate supervisors and appeal if desired.

413.03 Procedures

- A. Employees having a grievance should consult with their supervisor first to attempt to resolve the grievance.
- B. Employees not satisfied with the supervisor's decision may make a written appeal through their chain of command to the chief of police.
- C. Employees that want to pursue a formal grievance beyond the chief of police are directed to the City of Irving Personnel Policies. Sworn personnel are also referred to Procedures for Civil Service Employees.
- D. Employees may be represented in the grievance process by legal counsel or a representative of a departmental employee group.

414.00 PSYCHOLOGICAL SERVICES

414.01 **Purpose**

This policy will make employees aware of the availability of psychological services.

414.02 Policy

Psychological services are made available to employees when appropriate.

414.03 Responsibility

- A. Any member of the department who observes an officer displaying obvious behavioral problems should report it immediately to a supervisor or to the Professional Standards Section.
- B. When a supervisor becomes aware that an officer is suffering from an obvious behavioral problem, they will immediately report such behavior to their immediate supervisor.
 - 1. If it is evident that the officer is displaying behavior that could be harmful to the officer or the department, the officer will be temporarily assigned to a less demanding job or placed on appropriate leave.
 - 2. If the behavioral problem is severe, the Professional Standards Section will be notified immediately to apply for professional assistance.
- C. All requests for psychological services will be addressed to the Office of the Chief of Police.
- D. Psychological evaluations will be managed from the Office of the Chief of Police and will be in accordance with Texas Local Government Code Chapter 143.081

414.04 Voluntary Counseling

- A. An officer may make a request for counseling in person directly to the chief of police or to a supervisor.
- B. If approved, arrangements will be made by the Professional Standards Section.

414.05 Mandatory Counseling

- A. Officers displaying behavior that can be identified as harmful to any person and/or the department will be required to counsel with a psychologist or psychiatrist.
- B. Officers who use deadly force, regardless of injury to the suspect, will be required to counsel with a psychologist or psychiatrist.
 - Officers using deadly force are to be placed on administrative leave and not return to their original duty assignment until they have been cleared for duty by the psychologist or psychiatrist.
 - 2. Officers who accidentally cause death or serious bodily injury will be required to counsel with a psychologist or psychiatrist.

- 3. Mandatory counseling is necessary to aid the officer in coping with any problem which might result and to give the department assurance that the employee can function normally.
- 4. Officers cleared to return to duty following a use of deadly force are to be scheduled for a subsequent visit with the psychologist or psychiatrist to be scheduled by the Professional Standards Section.

414.06 Confidentiality

- A. The chief of police will review all confidential reports regarding consultation provided by the psychologist or psychiatrist and will determine how best to proceed with the conclusions rendered.
- B. All reports will be regarded as highly confidential and will be maintained in a separate file which will be sealed by Professional Standards Lieutenant. Only the chief of police can authorize the breaking of a seal on a psychological report file.

415.00 OFF-DUTY USE OF DEPARTMENTAL ATHLETIC FACILITIES AND EQUIPMENT

415.01 **Purpose**

This policy provides employees of this agency with guidelines for the use of department athletic facilities and exercise equipment.

415.02 Policy

The department's exercise facilities will be made available to employees, their spouses and dependents.

415.03 Procedures

- A. The use of departmental athletic or workout facilities and equipment during an employee's offduty hours will be at the sole discretion of the employee. The facilities and equipment are made available to the employees for their benefit on a voluntary basis.
- B. While the department encourages fitness and provides the facilities and equipment for the benefit of employees, it cannot assume responsibility for injuries to employees as a result of their use. The employee assumes any risk of injury inherent in the use of the facilities or equipment.
- C. Any employee's spouse or dependent child wishing to use the athletic equipment at any police facility on a voluntary basis must sign a waiver. The waiver will be maintained by Research and Planning Section.

416.00 POLICE FAMILY SUPPORT TEAM

416.01 **Purpose**

This policy identifies members and duties of the Police Family Support Team and the procedures for responding to a serious injury, illness or death of an employee or retired employee.

416.02 Policy

This agency will provide impartial assistance to all employees of the agency in case of death or serious injury to one of its active or retired employees. Services provided to the police family members are dependent, however, upon many factors including the availability of the agency's resources and the agency's primary role of providing public safety to its citizens and community. The chief of police may approve deviations from this order depending on those factors.

416.03 Definitions

Active Employee Injury, Illness, or Death in the Line-of-Duty: An employee of the department who is actively employed or in an authorized volunteer service, who suffers a serious or fatal injury or illness while taking any action that he or she is authorized or obligated to perform by law, rule, regulation, or condition of employment or service, whether on or off-duty

Active Employee Injury, Illness, or Death Not in the Line-of-Duty: An employee of the department who is actively employed or in an authorized volunteer service, who suffers a serious or fatal injury or illness while off-duty which is non-police related

Dallas-Fort Worth Area: This term includes the City of Irving, Dallas County, contiguous counties of Dallas County and a 100 mile radius of the City of Irving.

Police Family Members: The immediate surviving family members, of any police employee, which includes the following:

- 1. Spouse
- 2. Sons and daughters and guardian if the child is under 18 years of age
- 3. Spouses of the sons and daughters
- 4. Father, mother, stepfather, and stepmother
- 5. Brothers and sisters, if under 18 years of age

Retired Employee: Any sworn or non-sworn member who resigns, having completed at least 20 years of service, regardless of age; or any sworn or non-sworn member who resigns and who is eligible to begin receiving pension benefits; or any former sworn or non-sworn member who is receiving a city disability pension

Retired Employee Death: The death of a retired employee who is in good standing and fully separated through retirement from the department

416.04 Composition and Responsibilities of the Police Family Support Team

A. The Police Family Support Team will consist of the following personnel:

- 1. Administrative Bureau Chief The Administrative Bureau Assistant Chief is the liaison between the team and the chief of police.
- 2. Police Family Support Team Coordinator The Personnel & Training Lieutenant is responsible for the coordination of the overall operation of the Police Family Support Team to include any financial, travel, and/or lodging arrangements away from Irving, for police family members and/or departmental ceremonial and coordination personnel.
- 3. Family Liaison Officers Members are assigned by the Police Family Support Team Coordinator and are responsible for coordinating funeral arrangements, ceremonies, benefits for which the employee and his or her family are eligible, and any other event deemed necessary by the chief of police.
- 4. Media Coordinator The Public Information Officer will be responsible for coordinating the release of personal or departmental information and for arranging media coverage of memorial or funeral services in connection with the fatal injury, illness, or death of a departmental employee.
- 5. Traffic Coordinator The Traffic Section Supervisor will be responsible for coordinating and conducting any and all movements of vehicles involved in a funeral operation.
- 6. Honor Guard Coordinator The commander of the IPD Honor Guard will be responsible for all ceremonial rites involved in a funeral operation.
- 7. Lead Department Chaplain The Lead Chaplain is assigned by the chief of police and is responsible for coordinating the Chaplain Program, supervising the Assistant Department Chaplains, and meeting the spiritual needs of the surviving family and the department's members.
- 8. Assistant Department Chaplain The Assistant Chaplains are assigned by the chief of police and are responsible for meeting the spiritual needs of the surviving family and the departmental members.
- 9. Family Escort Officers Officers from the deceased employee's division or bureau will provide security and escort service for police family members in connection with the fatal injury, illness, or death of a department employee.
- 10. Victims Services Counselor Counselors from the Victims Services Section may be assigned to accommodate immediate and extended family members. Their duty will be to provide support and counseling to family members.
- B. The Police Family Support Team Coordinator will activate the Police Family Support Team, when needed.
- C. The Police Family Support Team will provide coordination and communication to both the Irving Police Department and the police family during a time of crisis and grief.
- D. When activated, the Police Family Support Team will meet as needed, until deactivation is ordered by the Police Family Support Team Coordinator.

416.05 Notification of the Police Family Support Team

A. The watch commander, upon receiving information of a life threatening or fatal injury or illness of any member of the department, while on or off-duty, in addition to notifications in General Orders pertaining to Notification of Serious Incidents, will immediately notify the following members of the Police Family Support Team:

- Administrative Bureau Chief
- 2. Police Family Support Team Coordinator
 - a. Police Family Support Team Coordinator will notify other members of the Family Support Team
- 3. Media Coordinator (Public Information Officer)

416.06 Notification of Deaths and Life Threatening-Injuries

- A. General procedures for divisions/bureaus regarding notification of deaths and life-threatening injuries.
 - 1. In all situations where an employee of the department is seriously or fatally injured, immediate notification of the police family members will be imperative. While use of the Notification Team as described in this policy is the preferred method of notifying family members, it is more important to make the notification as soon as possible.
 - 2. If the injury/fatality occurs after normal business hours, the watch commander will determine the most expedient manner to ensure the employee's family members are personally notified of the incident. Every effort will be made to have the immediate family taken to the hospital where the employee was transported.
 - a. The following should be considered while planning to make a notification:
 - i. Number of personnel to take
 - ii. How to transport the family member(s)
 - iii. Ensuring children in the home or at work or school are notified and the logistics of transporting them to the hospital
 - 3. The name of the seriously or fatally injured employee must not be released to the media and information concerning the incident will not be made available on social media platforms before the police family members are notified, whether they live inside or outside the Dallas-Fort Worth area.
 - 4. If the police family members reside outside the Dallas-Fort Worth area, the informing officer will request a prompt and personal notification from the jurisdictional law enforcement agency in the area in which the surviving family members live.
 - 5. If another law enforcement agency requests the Irving Police Department to perform a personal notification of a serious injury or death of one of their employees to a police family member who resides within the City of Irving, the same courtesy and procedures will be afforded to the agency as that which would be done for our own police family members notification.
 - 6. A supervisor of the employee's bureau, division, section, or unit should obtain necessary information from the Emergency Contact Form located J:\The 4th Folder\Personnel Assignments in the IPD Personnel Database. If the form indicates medical conditions, allergies, etc. this information should be sent to the receiving hospital.
- B. Notification Team Composition and Responsibilities
 - 1. When time allows for the assembly of a Notification Team, the Notification Team should consist of a police chaplain, chief of police or designee, a Family Liaison Officer, an

- officer known by the injured or deceased employee's family (when possible), a female officer to help female family members and at least one uniformed officer.
- 2. The Police Family Support Team Coordinator or Victim Services Counselor are available for any related purposes and can serve on the notification team if so desired.
- 3. Employees outside the notification team are prohibited from making contact with the police family members or posting information related to the incident before official notification has taken place.
- 4. The notification team should use at least two vehicles.
- 5. The following police family members should receive immediate notification, based upon the employee's specification in the emergency contact form:
 - a. Spouse and children
 - b. Parents
 - c. Others, as requested
- 6. Before arrival of the notification team, accurate and up-to-date information should be secured. The notification team's goal should be to make timely notification before police family members learn through other means.
- 7. If an employee immediately notifies anyone of the serious injury or death of a co-worker, that person should be told **not** to call the injured or deceased employee's spouse or post anything related to the injury or death on social media. This lessens the possibility of a premature notification.

416.07 Response to Life Threatening Injuries, Illness, or Death in the Line-Of-Duty

- A. When an employee of the department suffers a life threatening injury or illness, or is killed in the line-of-duty in the Dallas-Fort Worth area, the following will be provided for the police family members by the department:
 - 1. Personal notification of police family members in the Dallas-Fort Worth area
 - 2. Notification to the jurisdictional law enforcement agency in which the surviving family resides if the family members are not in the Dallas-Fort Worth area
 - Transportation to the medical facility or other location of local police family members
 - 4. Upon request, a uniformed officer posted at the family home, while the family is taken to the medical facility or other location, which will remain until replaced by the family escort officers
 - 5. Family Liaison Officers, Family Escort Officers, and Victims Services Counselors will be available 24 hours per day to help the police family members.
 - 6. If the police family members reside outside the Dallas-Fort Worth area, they will be picked up upon their arrival to the area and taken to the location of local police family members.
 - 7. All departmental employees will guard against making any promises to the family, and will not make additions to this list, without prior consent from the chief of police, through the Police Family Support Team.

- 8. The above supportive measures will be provided from the time of serious injury until the member's life is no longer threatened, or in the event of death, 24 hours after the committal services.
- 9. Full Departmental Honors will be rendered.
- B. The following cannot be financially provided by the department for the police family members:
 - 1. The expense of any phone calls
 - Lodging accommodations
 - 3. Meals and/or food
 - 4. Any alcoholic beverages
 - 5. Any other personal expenses
- C. When an employee of the department suffers a life threatening injury or illness in the line-of-duty outside the Dallas-Fort Worth area, the following will be provided for the police family members by the department:
 - 1. If requested, a uniformed officer will be posted at the local family's home, while the family is absent, and will remain until the family returns home.
 - 2. Arrangements for transportation of police family members will be made with the jurisdictional law enforcement agency in the area where the employee is hospitalized.
 - 3. The above will be provided from the time of serious injury until the employee's life is no longer threatened. This time may be extended when approved by the chief of police.
- D. When an employee of the department is killed in the line-of-duty outside the Dallas-Fort Worth area, the department will provide the following for police family members:
 - 1. The Police Family Support Team Coordinator or Family Liaison Officers will be sent to the location where the department employee has been killed to handle the logistical details and provide escort for the remains.
 - 2. All other details as provided for an employee of the department being killed in the line-of-duty in the Dallas-Fort Worth area.

416.08 Response to Life Threatening Injuries, Illness or Death Not in the Line-Of-Duty

- A. The department will provide the following for the police family members:
 - 1. When the police family members reside in the Dallas-Fort Worth area:
 - a. Personal notification of police family members.
 - b. Transportation to the medical facility or other location of the police family members.
 - c. If requested, a uniformed officer will be posted at the family home, while the family is taken to the medical facility or other location and will remain until replaced by the Family Escort Officers.

- d. The Family Liaison Officers will be available, as needed or requested, 24 hours a day, from the time of notification, until the employee's life is no longer threatened, or if death occurs, until burial. This time may be extended, when approved by the chief of police.
- e. Departmental Honors will be rendered.
- B. The department cannot provide for any expenses incurred by the police family members.

416.09 Funerals

- A. Full Departmental Honors:
 - 1. Full Departmental Honors are the rendering of honors at the funeral of an employee of the department who died in the line-of-duty.
 - 2. The following Full Departmental Honors will be rendered, upon approval of the family:
 - a. All flags at police facilities will be flown at half-staff for the period of time from the death of a member until immediately following the committal service.
 - b. All employees of the department with badges will cover their badges with a black elastic mourning badge band or black tape for the period of time from first being informed of the death of a member until immediately following the committal service.
 - c. All employees of the department without badges, who wish, may cover the right vertical edge of their identification card with a black elastic band, mourning badge band, or black tape for the period of time from first being informed of the death of a member until immediately following the committal service.
 - d. An Honor Guard of two uniformed officers will be assigned to the deceased member for the period of time from the death of the member until burial.
 - e. A departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform, and will consist of the following:
 - i. Long sleeve uniform shirt
 - ii. Uniform trousers
 - iii. A waist belt
 - iv. River belt, keepers, empty handcuff case and empty holster
 - v. Uniform black tie
 - vi. IPD collar insignia or insignia of rank for lieutenants and above
 - vii. A temporary badge, corresponding to rank, which will be returned to the Department
 - f. A United States or Texas burial flag will be provided to drape the casket.
 - g. Colors will be presented by the IPD Ceremonial Honor Guard at the committal service.

- h. The IPD Ceremonial Honor Guard will conduct flag folding ceremonies.
- i. The flag will be presented to the family by the chief of police or designee.
- j. The Family Support Team will work closely with the family of the deceased officer to determine the appropriate number of flags for the family. Only one flag will be presented at the service by the chief of police or designee.
- k. A 21-gun salute
- I. "Taps" will be played at the committal service.
- m. A police motorcycle escort will be provided for the funeral service.

B. Departmental Honors

- 1. Departmental Honors are the rendering of honors at the funeral of an employee of the department where the cause of death was not in the course or scope of employment, or a retiree.
- 2. The following Departmental Honors will be rendered, upon request of the family:
 - a. All employees of the department will cover their badges or ID cards while attending funeral services and until immediately following the committal service.
 - b. Departmental uniform will be provided for burial of the deceased, if the deceased was eligible to wear a uniform and will consist of the following.
 - i. Long sleeve, department issued uniform shirt
 - ii. Uniform trousers
 - iii. A waist belt
 - iv. River belt, keepers, empty handcuff case, and empty holster
 - v. Uniform black tie
 - vi. IPD collar insignia or insignia of rank for lieutenants and above
 - vii. A temporary badge, corresponding to rank, which will be returned to the department
 - c. A United States or Texas burial flag will be provided to drape the casket.
 - d. Flag folding ceremonies will be conducted.
 - e. The flag will be presented to the family by the chief of police or designee.
 - i. The Family Support Team will work closely with the family of the deceased officer to determine the appropriate number of flags for the family. Only one flag will be presented at the service by the chief of police or designee.
 - f. "Taps" will be played at the committal service.
 - g. A police motorcycle escort will be provided for the funeral services if within a reasonable driving distance.

C. Official Departmental Burial Flags

1. The United States flag or the State of Texas flags are the only flags permitted to drape the casket at a service where the department is rendering Full Departmental Honors or Departmental Honors. This does not limit the use of a pall by the Roman Catholic Church or other churches, but nothing may be placed on top of the flag. The flag must be removed before the casket is covered with the pall.

416.10 Response to the Death of a Retiree

- A. The department will provide the following for the police family members, if the funeral, memorial and/or committal service is held in the Dallas-Fort Worth area:
 - 1. Family Liaison Officers will be available to help with the funeral service.
 - 2. If requested, the departmental chaplain will be available to conduct the funeral service.
 - 3. If requested, Departmental Honors will be rendered.
- B. The department cannot provide for any expenses incurred by the police family members.

416.11 Departmental Representation at Out of Town Funeral Services (IPD Line-Of-Duty Deaths)

- A. The following departmental persons will accompany the family and remains, when applicable, to out of town funerals:
 - 1. The Police Family Support Team Coordinator and/or or Family Liaison Officers
 - 2. The departmental chaplain
 - 3. Honor Detail (Pallbearers maximum 8 members)
- B. The chief of police may authorize additional personnel and vehicles.

416.12 Demeanor of Officers (Other Than Ceremonial Personnel) at Memorial, Funeral, and Committal Services

- A. Memorial and Funeral Services
 - 1. The word chapel is interpreted to include the church, funeral home, or other inside location where a memorial or funeral service is held, other than a committal service.
 - 2. The word casket is interpreted to include any receptacle containing the remains of the deceased, including cremated remains.
 - 3. Appropriate attire for sworn uniformed personnel will be a "class A" uniform consisting of a long sleeve uniform shirt, uniform trousers, black tie, and uniform hat. The chief of police, assistant chiefs of police, and captains will wear the executive dress uniform and hat.
 - 4. The words cover and uncover are interpreted to be the placing of a hat and the removing of a hat from one's head.

- 5. When inside the chapel, the following will apply:
 - The IPD Ceremonial Honor Guard members posted at the casket will remain covered.
 - b. The Police Chaplain will be covered or uncovered as circumstances dictate throughout the service.
 - c. All other personnel with hats will remain uncovered and will carry the hat under the non-gun side when not seated.
- 6. When outside the chapel, all personnel wearing hats will remain covered at all times.

B. Committal Services

- 1. At a law enforcement funeral, persons in uniform will come to **ATTENTION** and will execute the hand salute at the command, **PRESENT ARMS**, which will be given:
 - a. Any time the flag is being moved
 - b. When the casket is moved from the site of the funeral/memorial service to the hearse or from the hearse to the site of the committal service
 - c. During the firing of volleys
 - d. While "Taps" is being played
- 2. At a law enforcement funeral, law enforcement personnel not in uniform, will place the right hand over the heart at the command **PRESENT ARMS**, which will be given:
 - a. Any time the flag is being moved
 - b. During the firing of volleys
 - c. While "Taps" is being played.
- 3. The hand salute or the right hand over the heart will be held until the command, **ORDER ARMS** is given.
- 4. Following military custom, hats will not be removed for prayers, but all personnel will bow their heads as a sign of respect.
- 5. Uniformed personnel, when not at **ATTENTION**, will remain in the position of **PARADE REST** during the outdoor committal service.

416.13 Explanation of Funeral Operations and Benefits to the Police Family

- A. To avoid misunderstandings by police family members, only the Police Family Support Team Coordinator or Family Liaison Officers are authorized to contact the benefits department of the city to ascertain what benefits the family may be eligible to receive.
- B. The Family Liaison Officers will contact the family as soon as practicable to explain the benefits to which the family is entitled.

417.00 POLICE CHAPLAIN PROGRAM

417.01 **Purpose**

This policy provides guidelines for the Police Chaplain Program.

417.02 Policy

Chaplains will serve as counselors, advisors, and consultants to the police department employees and the public in matters relating to traditional functions of the clergy.

417.03 Procedures

- A. The Law Enforcement Chaplains are trained clergy who must represent to all members of the law enforcement agency morality, justice, fidelity, and peace. Therefore, chaplains shall guide all officers and direct them through confidential counseling and personal example.
- B. Chaplains will:
 - Respect and honor the badge and the men and women who have earned the right to wear it
 - 2. Pledge availability to the needs of the law enforcement officers
 - Subject their lives and office to the scrutiny of accountability to ensure integrity
 - 4. Offer professionalism of service, including confidential listening and spiritual counsel
- C. Chaplain duties include:
 - 1. Counseling members of the department and their families
 - 2. Visit sick or injured officers and departmental personnel in homes and hospitals
 - Assist with death notifications
 - Provide training to law enforcement personnel in areas such as stress management, ethics, family life, and pre-retirement
 - Respond to major incidents and crises when their services may be required
 - 6. Assist with personal tragedies in the community when needed
 - 7. Serve as the police department's liaison with other clergy in the community
 - 8. Offer prayers at special occasions such as recruit graduations, awards ceremonies, dedications, etc.
 - 9. Serve on review boards, award boards, and other committees as invited

D. Chaplain Staffing

1. The chief of police will appoint one Lead Department Chaplain and three Assistant Department Chaplains.

- a. The Lead Department Chaplain will coordinate the program and will supervise the three Assistant Department Chaplains.
- b. The Police Family Support Team Coordinator and Family Liaison Officers will interview and make recommendations for new chaplains to the chief of police as vacancies occur.

E. Chaplain Requirements

- 1. In addition to committing to all chaplain responsibilities and duties, chaplains must also:
 - a. Pass a background check according to department standards
 - b. Be an ecclesiastically certified person in good standing and endorsed for law enforcement chaplaincy by a recognized religious body, with five (5) years' experience in ministry
 - c. Be available to serve on a 24-hour call basis, determined and governed by the chief of police
 - d. Manifest a broad base of experience and professional ministry, emotional stability and personal flexibility
 - e. Be tactful and considerate in approaching all people regardless of race, sex, creed, or religion
 - f. Be willing to become involved in training programs that enhance one's efficiency in meeting and dealing with people in crisis and should be familiar with community medical, psychiatric and other helping resources in the local area

418.00 CAREER DEVELOPMENT AND LATERAL TRANSFERS

418.01 **Purpose**

This policy will assist personnel in selecting a career path and to ensure all organizational elements are staffed with individuals who are qualified, productive, and motivated to achieve the policies, goals, and objectives of the Irving Police Department. Additionally, this directive ensures all rotations and transfers from one organizational element to another are fair, equitable, consistent and most importantly, in the best interests of the department.

418.02 Policy

Employees and their supervisors will take an active role in developing their careers, while meeting the needs of the Irving Police Department and the City of Irving, by providing well-trained and experienced personnel to serve in specialized sections of the department.

418.03 Definitions

Limited Term Position: a limited term position is one that has a preset time limit associated and adhered to in determining when an employee must leave the assignment. The preset time limit for all limited term positions is seven (7) years. For purposes of Special Investigative Services, the limited term is ten (10) years.

Long Term Position: a long term position is one that has no preset time limit associated with determining when an employee must leave the assignment.

418.04 Term Limit Structure

- A. Each specialized section outside of the Patrol Division will have a number of both long term and limited term positions. These numbers will be determined by the complexity, training requirement and expertise required of each assignment.
- B. The numbers of limited and long term positions for each section are maintained by each division commander and will be made available upon request.
- C. For the purpose of implementation, members assigned to these sections on December 1, 2017 are not affected by this policy unless they leave their current assignment and transfer to another specialized section. At that point, the terms of this policy become effective.
- D. On December 1, 2017, any current vacancies will be subject to this policy. Each division commander is responsible for determining which positions are long term and limited term.
- E. An officer who serves in a section or unit in a limited term position for any length of time may not return to that section or unit in a limited term position.
- F. An officer who leaves a limited term position is eligible for transfer into an open long term position.
- G. An officer assigned to any position in a specialized section must maintain a high level of performance in order to remain in the assignment. A supervisor may recommend to the division commander that an employee not meeting the high standards required of a specialized assignment be transferred.

H. If an officer's term in a position is expiring and there are no candidates for that position, the officer currently in the position can remain in the position for one (1) additional year. The chief of police may make an exception when it is deemed to be in the best interest of the department.

418.05 Supervisory Rotation

- A. Sworn supervisory personnel in the department are subject to rotation from one assignment to another.
- B. In general, supervisory positions will be rotated on a three to five year cycle.
- C. Some factors which may impact the timing of a transfer include: needs of the department, performance, career development and individual requests.
- D. The chief of police may transfer personnel to other assignments or extend a supervisory assignment whenever it is deemed to be in the best interest of the department.

418.06 Supervisor Responsibility for Subordinate Career Development

- A. Supervisors within the department will have a responsibility in the career development of their subordinates. The following guidelines should be used to help develop a career path.
 - 1. Identify the goals and assist in the development of a plan
 - 2. Identify training opportunities
 - Identify internal assignment opportunities
 - 4. Counsel, support, and promote subordinate development
 - 5. Document progress of career development and note it on performance evaluation forms and transfer request forms

418.07 Lateral Transfers

- A. Vacancies for police officers and sergeants in any division and/or section will be announced prior to the positions being staffed. To qualify for consideration, an officer must have two years' experience (after completion of the training process) as a commissioned Irving Police Officer immediately prior to submitting a transfer request. This requirement may be waived if the position to be staffed requires a specific technical knowledge, expertise, or the needs of the department dictate that the two-year requirement be waived. The chief of police must approve such exceptions and reserves the right to waive any other requirement(s) based on the needs of the department.
 - It is the officer's responsibility to submit a transfer request through his/her chain of command.
 - TDY assignments are not considered transfers.
 - 3. Moving from any section, unit, division or bureau to another is considered a transfer and this policy on Career Development and Lateral Transfers is applicable.

418.08 Selection Process Requirement

A. The interviewing division/section will prepare a department-wide memo advising of the vacancy. The memo will clearly define all prerequisites to fill the vacant position, whether the position is long or limited term, and it will also include to whom the transfer request memo should be addressed and where it needs to be submitted. It will also include the deadline for submission (no less than one week).

B. No Pre-Selection

- 1. It is permissible to contact a potential candidate for a position after the announcement of a vacancy, but only to suggest that they submit an application. No promise of selection will be made or inferred.
- C. The division commander, or their designee, will contact Professional Standards to obtain the discipline history of the applicants to include informal discipline for one year before the date of the memo advising of the vacancy. Generally, formal discipline beyond three (3) years before the date of the memo advising of the vacancy should not be considered.
- D. An interview board will be convened. The composition of the interview board will be determined by the requesting division commander.
- E. The transfer interview form shown in General Orders will be completed by each member of the board on every candidate.
- F. Seniority will only become a factor if all other factors are equal.
- G. The selection of the chosen candidate will be made after the division commander has reviewed all interview forms.
- H. Each candidate will be contacted by the division commander or designee and advised of the selection made and those applicants not selected will be advised whether they were recommended or not recommended. A memo will be forwarded to the bureau chief indicating the officer selected for the position, the names of those not selected, and the name of the person who notified those officers. If the candidate wishes to discuss the selection with the division commander, a time will be set for an interview to take place.
- I. If no applications are received, or if candidates that applied are not selected, the chief of police may select an officer to fill the needs of the department.
- J. No transfer will be considered final until the Personnel Order is signed by the chief of police or designee.
- K. The interview process should be completed as soon as possible. After the position is filled, requests will remain active for a period of one hundred eighty (180) days and the division commander may select from the recommended applicants during this time unless the request is withdrawn by the candidate. No "ranked" list will be maintained. If the applicant is not selected and another position becomes available within the 180 days for the same position, the applicant will not need to be re-interviewed.

419.00 RECRUITMENT BONUS

419.01 **Purpose**

This policy will encourage individual recruitment by employees of the police department for the position of police officer.

419.02 Policy

This agency will promote the personal recruitment of police officer candidates by agency employees. To meet this end, the agency will provide a bonus to employees who refer police officer candidates to the new police officer hiring process.

419.03 Definitions

Full status: A police officer of the City of Irving who has successfully completed the field training program and cleared to operate independently.

Qualified Police Officer Candidate: A person who meets the minimum qualifications for employment as a police officer for the City of Irving, including successfully passing the civil service entry exam and the physical assessment test

Referral: A qualified police officer candidate that is recruited by a police department employee and states that they were referred to the process by naming the employee prior to the administration of the civil service test.

419.04 Procedure

- A. A police employee who is responsible for a referral will be paid a recruiting bonus of \$75.00 (seventy-five dollars).
- B. A police employee who is responsible for a referral, which ultimately is employed and receives full status, will be paid a recruiting bonus of \$1,000.00 (one thousand dollars).
- C. A recruitment bonus may be divided between two or more employees.

419.05 Exclusions

- A. A referral will be considered on only one occasion for the referral level bonus, but the same referral may be considered for the full status bonus at a later time if employed as the result of a subsequent civil service test.
- B. The following police employees or referrals will not be considered for a recruiting bonus under this General Order:
 - 1. Members of the Personnel Section
 - 2. Referrals that are obtained by an employee while participating as an officially sanctioned department recruiter, including Irving Police Explorers
 - Officers of the rank of captain or above
 - The police legal advisor

5.	Referrals that are current police department employees

420.00 TRAINING

420.01 Purpose

This policy provides for required and necessary training for all personnel.

420.02 Policy

This agency will provide training for all personnel that will enable them to perform the tasks assigned to them.

420.03 Procedures

- A. All personnel will receive the training necessary for the successful completion of tasks assigned to them.
 - 1. Necessary training includes but is not limited to:
 - a. Training required by City of Irving
 - b. Training regarding essential job tasks
 - c. Training required maintaining license and certification requirements
- B. Records documenting training will be maintained by the Training Section.

421.00 PEER SUPPORT PROGRAM

421.01 Purpose

This policy identifies members and duties of the Police Peer Support Team.

421.02 Policy

This agency will provide emotional support to all employees of the agency who have experienced a traumatic, critical or highly stressful incident in their personal or professional life.

421.03 Definitions

Confidentiality: Barring an exception outlined in this policy, confidentiality will be maintained to protect the identity of employees and the content of the interaction between an employee and a Peer Support Team Member.

Crisis: An acute emotional reaction to a powerful stimulus or demand.

Crisis Intervention: Crisis intervention is "Psychological First Aid" or "Emotional First Aid". It is a temporary, but active and supportive entry into the life of individuals or groups during a period of extreme distress.

Critical Incidents: Powerful traumatic events that initiate the crisis response (Physical or Psychological)

Critical Incident Stress: A state of cognitive, physical, emotional, and behavioral arousal that accompanies the crisis reaction

Critical Incident Stress Debriefing: A specific, 7-step group crisis intervention tool designed to assist a group of people after an exposure to the same significant traumatic event

Critical Incident Stress Management: A comprehensive, integrated, systematic and multi-tactic crisis intervention approach to manage critical incident stress after traumatic events

Debriefing: A confidential meeting between a Peer Support Team Member and an employee who has been involved in a traumatic, critical or highly stressful incident. The purpose of the debrief is to **listen** to the employee and to educate her/him in stress management techniques that are applicable to the experience. This is not an operational critique, a professional counseling session or psychotherapy and the content of a debriefing shall not be recorded in any manner (notes, audible, video etc.).

Defusing: A brief intervention by members of the Peer Support Team typically occurs within a few hours after a traumatic, critical or highly stressful incident with an affected employee. The meeting allows the employee a chance to discuss immediate concerns. The employee will be provided information on common side effects that are to be expected during traumatic, critical or highly stressful incidents. The exact time of the defusing will be determined by the Peer Support Team Member at the scene on a case by case basis, but should occur within the first few hours after the incident. This intervention is confidential.

Mental Health Professional: A practitioner licensed by the State of Texas (unless in an exempt agency) with the skills and knowledge of clinical diagnosis, treatment methods, and triage/referral process.

Peer Support Assistant Team Leader: A sworn member of the agency who serves as a Peer Support Team Member and will fill the role of Team Leader when required.

Peer Support Meeting: A private meeting held between team members and an affected employee who has been involved in a traumatic, critical or stressful incident. Discussions at the meeting shall be kept confidential unless mandated by law.

Peer Support Team: A team of volunteers selected by the chief of police or designee who is trained in Critical Incidents Stress Management. The focus of this team will be to prioritize the well-being of our employees.

Peer Support Team Coordinator: A member of the agency appointed by the chief of police who will perform the administrative duties and provide clinical oversight for the team.

Peer Support Team Leader: A sworn member of the agency who will work with the Team Coordinator while acting as the primary point of contact on call-outs and supervise the day to day function of the team.

Peer Support Team Member: A sworn or non-sworn member of the agency who has been specifically trained in a departmentally approved Critical Incident Stress Management (CISM) course and recognized as a member of the Peer Support Team.

Post-Traumatic Stress: Very intense arousal subsequent to a traumatic stressor (trauma). Traumatic stress overwhelms coping mechanisms leaving individuals out of control and feeling helpless.

Privacy: The expectation of an individual that disclosure of personal information is confined to or intended for the Peer Support Team Member.

Privilege: The legal protection from being compelled to disclose communications in certain protected relationships, such as attorney-client, doctor-patient, or priest-confessor. Title 9, Chapter 784 of the State of Texas Health and Safety Code recognizes CISM and Peer Support Services and provides guidance regarding privilege, privacy and confidentiality.

Privilege, Privacy and Confidentiality Exceptions: As outlined in 784.03 (b)(c)(d) of the Texas Health and Safety Code, an exception can be made by a judge or administrative hearing examiner that allows for disclosure if:

- 1. The disclosure is deemed more important than protecting the individual's privacy,
- 2. A communication gives the Peer Support Team Member the reasonable belief that they need to make a referral or consult with another team member and or appropriate professional associated with the Peer Support Team,
- 3. The employee has communicated that they are or appear to be an imminent threat to anyone,
- 4. There has been communication relating to a past, current or future criminal act that does not directly relate to the critical incident or crisis,
- 5. The employee expressly agrees that the communication is not confidential or the employee is no longer living.

Trauma: Any event outside the usual realm of human experience that is markedly distressing. Such traumatic stressors usually involve the perceived threat to one's physical integrity or to the physical integrity of someone in close proximity.

421.04 Organizational Structure & Functions

The Peer Support Program will function as a collaborative organizational structure with fluid membership under the direction of the chief of police. The Team Coordinator and Team Leader will collaborate on the

identification of a critical incident, what response will be implemented, and the membership of the Peer Support Group.

421.05 Composition and Responsibilities of the Peer Support Team

- A. Police Peer Support Team Coordinator
 - 1. Provides clinical oversight to the team
 - 2. Maintains statistical data for planning purposes only (will not include names and other personal details)
 - 3. Approves the use of Critical Incident de-briefings and coordinates the scheduling of a debriefing with the Peer Support Team Leader
 - 4. Coordinates and facilitates debriefing the Peer Support Team Members
 - 5. Maintain an on-call roster for all members
 - 6. Coordinates and facilitates Peer Support Team meetings with the Peer Support Team Leader
 - 7. Ensures support team members receive appropriate follow-up (debriefs the de-briefers)
 - 8. Acts as the primary spokesperson for the Peer Support Team and represents the team in matters involving department staff, agency and interagency issues
 - 9. Recruits and coordinates the screening of Peer Support Team applicants
 - 10. Recommends and participates in the development of ongoing training for the department
- B. Peer Support Team Leader
 - 1. Acts as a primary resource for Team Coordinator
 - 2. Recruits and coordinates the screening of Peer Support Team applicants
 - 3. Provides direct oversight for the function of the team
 - 4. Maintain an on-call roster for all members
 - Coordinates and facilitates Peer Support Team meetings with the Peer Support Team Coordinator
 - Coordinates initial and recurrent support team training for the department
 - 7. Participates in the development and delivery of CISM training for the department
 - 8. The primary contact on call-outs and facilitates the use of the Peer Support Team in times of critical and or traumatic incidents and stress management interventions
 - 9. Ensures there is not a conflict of interest between a Peer Support Team Member and an affected employee utilizing the services of the team
- C. Peer Support Assistant Team Leader

- 1. A member of the Peer Support Team who has been selected to fill the role of Team Leader when necessary
- 2. Serves as an assisting resource for the Team Coordinator and Team Leader
- 3. Participates in the development and delivery of CISM training for the department
- 4. Facilitates Peer Support Team meetings when requested
- 5. Maintains an on-call roster for all members
- 6. Serves as secondary contact on call-outs and facilitates the use of the Peer Support Team when requested

D. Peer Support Team Member

- 1. Any member of the department who has completed their primary job training, completed their probationary status, has volunteered and been approved to participate as a team member and has attended the mandated department training.
- 2. Responds to call-outs as requested and facilitates the use of defusing and or debriefing techniques as required.
 - a. Focuses on the emotional needs of the employee and ensures the expectation of confidentiality and privacy is adhered to.
 - b. The initial interaction between a Peer Support Team Member and an employee should include an explanation of privacy limitations outlined in 784.03 (a) (b) and (c) of the Texas Health and Safety Code.
 - c. Facilitates the conversation with an affected employee in need by utilizing the techniques learned during the CISM training and will not make any recordings (written or otherwise)
- 3. <u>Confidentiality and Privacy</u> The acceptance and success of the Irving Police Department Peer Support Group will be determined in part by the adherence to confidentiality. Peer team members are trained in confidentiality and its exceptions and are required to report any illegal activity. In the event information received in a peer support team interaction must be revealed by mandate of law, the Peer Support Team Coordinator and/or Team Leader are available for consultation regarding confidentiality issues for Peer Support Team Members. Peer Support Team Members shall notify the affected employee, prior to initiating discussion, about limits of confidentiality.
 - a. Limits of Confidentiality: as mandated by law (section 784.03 (b)(c)(d) of the Texas Health and Safety Code)
 - i. If a Peer Support Team Member learns of criminal activity
 - ii. If someone threatens to harm themselves or others
 - iii. If there is reasonable suspicion of domestic abuse or neglect involving a child, elder, or disabled adult
 - b. Peer Support Team Members shall not divulge shared information with other employees, family members, friends, supervisors, management or the general public.

- c. Peer Support Team Members who violate the confidentiality clause will be subject to disciplinary action.
- 4. Reports statistical data to the Peer Support Team Coordinator.
 - a. To manage program effectively, the Team Coordinator and/or Team Leader will collect statistical information to measure the type of services and referrals.
 - b. **Confidentiality and Privacy** is paramount to the effectiveness and trust of the Peer Support Team. No records identifying employees who utilize the program will be maintained (i.e., names, notes, recordings or any other personal details).
- 5. Attends mandated training and meetings as scheduled by the Peer Support Team Coordinator or Peer Support Team Leader
 - a. If a team member is unable to attend a scheduled meeting or training he or she should notify the Peer Support Team Leader as soon as possible.
 - b. It is the team member's responsibility to verify they have received and understand any relevant information provided during a missed meeting or training date.
- 6. Has a responsibility to disclose any potential conflicts of interest to the Team Leader

421.06 Scope of Services

- A. The Peer Support Program provides a wide range of voluntary programs and interventions. Peer Support Program services may include, but are not limited to: referral to the Employee Assistance Program (EAP); peer support; follow-up services; on-scene services; information and referral services; family or significant other support services; group and individual interventions with respect to affected personnel; disaster preparedness training; and preventive, educational, and informational programs.
- B. The Peer Support Program will follow the Critical Incident Stress Management model for crisis intervention which may include: Individual Crisis Intervention, Crisis Management Briefing (CMB), Defusing, or Critical Incident Stress Debriefing (CISD). The type of service will be determined by the Team Coordinator and/or Team Leader.
- C. Anyone involved in a critical incident will be mandated to attend a Critical Incident Stress Management intervention (i.e., defusing, debriefing, or individual crisis intervention).

421.07 Selection Process

- A. Peer Support Team Coordinator:
 - Appointed by the chief of police or designee
- B. Peer Support Team Leader:
 - 1. Appointed by the chief of police or designee
- C. Peer Support Assistant Team Leader
 - 1. Appointed by the chief of police or designee
- D. Peer Support Team Member:

- Must have completed initial job training and probationary status with the City of Irving.
- 2. Voluntarily submit a written resume detailing their purpose, desire and qualifications to participate as a team member.
- 3. Employees currently assigned to Professional Standards, Crime Scene Investigations or Crimes against Persons Investigations are eligible to receive the CISM training but are not eligible to participate in Peer Support Team Critical Incident Debriefs or Defusions.
- 4. Trained employees assigned as a Crime Scene Investigator or as a Crimes against Persons Investigator are allowed to provide ongoing individual peer support only if specifically requested by the involved employee.
- 5. Must be recommended by their chain of command.
- 6. Must participate in an oral board interview with members of the department that have been chosen by the Peer Support Team Coordinator.
- 7. Must be recommended by each member of the interview board.
- 8. Must be approved to participate by the chief of police or designee.

421.08 Training

- A. Team Members will be trained under the International Critical Incident Stress Foundation (ICISF) Critical Incident Stress Management System (CISM).
 - 1. The training will be provided by an instructor certified in the CISM system by ICISF.
 - 2. The minimum training requirements to be a member of the Peer Support Team are:
 - a. Basic Group Intervention
 - b. Individual Crisis Intervention and CISM Team
 - 3. Additional recommended ICISF training courses include:
 - a. Advanced Group Crisis Intervention
 - b. Suicide Prevention
 - c. Line of Duty Death
 - d. Law Enforcement Perspectives
- B. These requirements and recommendations do not preclude the group or its members from attending additional training or seminars outside of the ICISF model.

421.09 Availability

A. The Peer Support Team Members do not maintain a paid on-call status. Peer Support Team Members who are called out or otherwise function in their Peer Support Team capacity during off-duty hours will be compensated as specified in city policy.

- B. In the event of a Peer Support Team callout, dispatch will contact the Peer Support Team Leader. If the Team Leader is unavailable, the Assistant Team Leader will be contacted. If neither the Team Leader nor the Assistant Team Leader is available for contact, the Peer Support Team Coordinator will be contacted.
 - 1. The Team Leader or the Assistant Team Leader will assess the circumstances of the callout request and determine the appropriate Peer Support Team response.
- C. The Team Coordinator, the Team Leader and Assistant Team Leader will maintain an updated Peer Support Team callout list.

421.10 Outside Entities

- A. Media representatives are prohibited from attending debriefings.
- B. Affected employees who participate in debriefings may voluntarily share information with their attorneys but will not be allowed to be accompanied by an attorney while participating in the debriefing or defusing.
- C. The Peer Support Team may be utilized to assist other public safety agencies. The City of Irving mutual aid policies will govern how and when such assistance may be provided.

421.11 Spouses

- A. Spouses of police employees may volunteer to provide support to family members of police employees who have been impacted by a critical incident. Their responsibilities and duties are the same as Peer Support Team Members.
- B. To be eligible, the spouses must follow the same application, screening and training process as employees.
- **C.** Spouses are not eligible for compensation related to this volunteer duty.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

500.00 DISCIPLINE

501.00 DISCIPLINARY ACTION

501.01 Purpose

This policy will provide employees of this agency with guidelines on the disciplinary process.

501.02 Policy

This agency will properly train and educate employees as to the laws, rules, regulations, policies, and procedures by which they are governed. Violations of laws, rules, regulations, policies, or procedures are a breach of discipline and may be cause for action. Disciplinary action will be in accordance with departmental policy, City of Irving Personnel Policies, Local Civil Service Rules, the Civil Service Act, Chapter 143, and other applicable sections of the Texas Local Government Code.

Discipline as referred to herein applies to all personnel unless specifically stated otherwise.

501.03 Definitions

Administrative Investigation: An investigation into an internal report of alleged misconduct or policy violation by an employee

Complaint: An external report of alleged misconduct or policy violation by an employee

Exonerated: The evidence tends to support factual occurrence, but conduct does not appear improper.

Formal Discipline: Sustained complaints documented on a Notice of Disciplinary Action form. The possible outcomes for sustained formal discipline are:

- A suspension for a defined period in accordance with Civil Service rules
- 2. An indefinite suspension
- 3. A demotion in rank
- 4. Chief's Written Reprimand

Informal Discipline: Disciplinary or corrective action other than formal discipline. Typically, these actions involve minor violations of rules, regulations, policies, or temporary poor performance that does not constitute gross negligence. The possible outcomes for sustained informal discipline are:

- 1. Verbal counseling
- Letter of Counseling

Investigative Recommendations: Recommendation made by the investigating supervisor at the conclusion of the investigation that is based on the totality of the circumstances and a preponderance of the evidence as shown by the facts. A recommendation for disciplinary action may also be included based on the totality of the circumstances and employee's discipline history.

Not Sustained: There is insufficient evidence either to prove or disprove the allegation of misconduct.

Sustained: The evidence tends to support the allegation of misconduct.

Unfounded: The evidence tends to disprove allegation of misconduct.

501.04 Blue Team Procedures

- A. Officers and supervisors will enter information for the following incidents directly in the Blue Team software:
 - 1. Citizen complaints (allegations of policy violations only)
 - Commendations/award nominations
 - Damaged or lost property
 - 4. Employee injuries (city forms to Risk Management must be completed)
 - Incident review
 - 6. Off duty work requests
 - 7. Police vehicle accidents or incidents
 - 8. Prisoner injury
 - 9. Response to resistance
 - 10. Vehicle pursuits

501.05 Complaints and Administrative Investigations

- A. Complaints against employees should be referred to the first available supervisor (preferably the employee's immediate supervisor) in order to initiate a timely inquiry.
 - 1. The supervisor making initial contact will resolve the complaint, if possible. If the complaint is an alleged policy violation, the supervisor will document the details of the complaint in the department's Blue Team software as soon as possible.
 - 2. If the complaint is for a minor policy violation that would not result in formal discipline if sustained, (e.g., mild disrespect or discourtesy, minor instances of damaged or lost property) and the incident related to the complaint is audio recorded on the Communications Section multi-media logging recorder or audio and video recorded on body worn camera of the officer that is the subject of the complaint and any additional body worn camera recordings relevant to the complaint provide sufficient information for the supervisor to adequately investigate the complaint; then
 - a. If after reviewing the video or Communications Section recording, the investigating supervisor determines the complaint is unfounded, the investigating supervisor shall enter the employee that is the subject of the complaint as a

- "witness" in a Blue Team entry and categorize the relevant video(s) as "Citizen Complaint". If a Communications Section recording is used, that recording will be attached to the Blue Team entry.
- b. The investigating supervisor shall then forward the complaint directly to Professional Standards.
- 3. If the complaint is for a policy violation that could result in formal discipline if sustained, or if the complaint is not unfounded, the investigating supervisor shall enter the employee that is the subject of the complaint as an "involved employee". All available complaint information will be entered into the Blue Team software and the employee's supervisor shall investigate the complaint and forward all documentation in the Blue Team software through the chain of command.
- 4. If an investigation of a complaint cannot be completed within 14 days, the division commander will be notified and a timeline will be established for the conclusion of the investigation. Any changes to the timeline will be approved by the division commander.
- 5. The investigating supervisor will notify the complainant of the outcome of the complaint. The notification will be documented in the Blue Team incident report.
- B. The Professional Standards Section is responsible for investigating complaints and administrative matters requiring intensive review of procedures or employee conduct. Such complaint and incident types include the following:
 - 1. Use or attempted use of deadly force by an employee or other incident described in General Orders pertaining to the departmental review of deadly force
 - 2. In-custody deaths
 - 3. Criminal allegations against an employee
 - 4. Suspected substance abuse by an employee
 - 5. Complaints of unusual complexity making it impractical for the employee's immediate supervisor to effectively and thoroughly investigate, as determined by the employee's bureau chief
 - 6. Any incident where the best interest of the police department would be served, as determined by the employee's bureau chief or the chief of police.

501.06 Incident Review Category

- A. Supervisors shall use the Incident Review category in Blue Team to document minor policy violations and the coaching and counseling used to correct the deficiency.
- B. This category will not be used for any citizen complaints or investigations in which a Notice of Investigation has been issued. It will not be used to document any discipline above the level of verbal counseling.
- C. Early intervention thresholds will not be associated with this category.
- D. An Incident Review shall be processed through an employee's lieutenant or section manager for review who will then forward it to Professional Standards for transfer into IA Pro. For officers who hold the rank of lieutenant or above and managers, the incident review shall be processed through their immediate supervisor, who will forward it to Professional Standards for transfer into IA Pro.

- E. If Professional Standards determines that the violation warrants further investigation or alternative disciplinary action, the Incident Review shall be sent to the appropriate division commander for review.
- F. The Incident Review entry will be completely purged after one year.

501.07 Employee Notification and Investigation Procedures

- A. In instances where an employee is the subject of a complaint that requires written notification, the employee will be notified on the Notice of Investigation form of the nature of the complaint as soon as practical after receipt of the complaint. The employee should sign the Notice of Investigation form before the supervisor orders the employee to respond to the allegations in writing.
- B. The immediate supervisor or the supervisor responsible for investigating the complaint is responsible for completing the Notice of Investigation form, notifying the employee, and making the appropriate entries into the Blue Team Software.
- C. The complaint will be investigated by the division the employee is assigned to, unless it is a criminal offense. The bureau chief may request that any complaint be assigned to Professional Standards for investigation.
- D. The investigating supervisor, upon receipt of the complaint, will complete the Notice of Investigation form through the "Alleged Policy or Procedure Violation(s)" section.
 - 1. If the complaint is originated internally, the supervisor completing the Notice of Investigation form will list him/herself as the complainant and sign on the signature line in the complainant's section.
 - 2. If the complaint is originated from outside the police department, whenever possible the person making the complaint against an employee should sign the Notice of Investigation form. If obtaining the complainant's signature is not practical, the supervisor will sign the Notice of Investigation form on behalf of the person making the complaint.
 - Supervisors will provide to the employee the accompanying affidavits supporting the complaint so the employee may effectively answer the allegations. The supervisor will note the existence of a supporting affidavit by checking the appropriate box on the Notice of Investigation form.
 - 4. The employee will sign the original form in the "Employee Acknowledgement" section signifying receipt of his/her signed copy.
 - 5. The employee is entitled to receive a signed copy of the form.
 - 6. The supervisor will maintain the original form until the investigation is completed.
- E. Upon completion of the investigation the investigating supervisor will:
 - 1. Document investigation and findings in a memo to the chief of police or in the Blue Team software, as appropriate, and forward all original documents to Professional Standards. If a memo is used, the memo will be attached to the Blue Team incident.
 - 2. Make an investigative recommendation. The recommendation will be made based on the totality of the circumstances and a preponderance of the evidence as shown by the facts.

- 3. If warranted, recommend formal discipline against the employee on a Notice of Disciplinary Action form or take corrective action using a Letter of Counseling form.
- 4. Forward to the chain of command.

501.08 Notice of Investigation

- A. Employees will be notified as soon as practical on the Notice of Investigation form of all administrative investigations or complaint allegations that could result in formal discipline. The decision to use the written notification process for complaints is governed by an objectively reasonable belief that formal disciplinary action would be possible if the allegations contained within the complaint were sustained. If there is doubt about the outcome, the supervisor should always err on the side of issuing the Notice of Investigation.
- B. The following types of incidents require written notice:
 - Complaints or administrative investigations involving allegations of criminal offenses constituting a Class B misdemeanor or greater and those Class C misdemeanors involving family violence or moral turpitude
 - 2. Suspected substance abuse
 - 3. Corruption or brutality
 - 4. Intentional violations of rules, regulations, or policies and repeated minor complaints
 - 5. The acts alleged constitute civil rights violations
 - The acts alleged would bring into question the employee's moral character, honesty or integrity
 - 7. Regardless of the circumstances, any inquiry regarding an employee's use or attempted use of deadly force or other incident described in General Orders pertaining to the departmental review of deadly force
 - 8. Any complaint that could result informal discipline, if sustained
- C. Professional Standards will be updated within 48 hours as to the status of all complaints and administrative investigations in which a Notice of Investigation was issued.
- D. If an investigation of a complaint cannot be completed within 14 days of the Notice of Investigation being signed by the officer, Professional Standards will be notified and a timeline will be established for the investigation; any changes to the timeline will be made in consultation with Professional Standards.
- E. Complaints and administrative investigations in which a Notice of Investigation was issued will be entered into Blue Team as soon as possible and forwarded to Professional Standards through the chain of command at the conclusion of the investigation. Original Notices of Investigation will be forwarded to Professional Standards
- F. Recommendations of formal discipline are documented using the Notice of Disciplinary Action form and are forwarded through the chain of command to Professional Standards The Notice of Investigation form cannot be substituted to recommend formal discipline.

501.09 Letter of Counseling Form

- A. The Letter of Counseling form is used to document infractions not requiring formal discipline.
- B. The employee receiving the Letter of Counseling will acknowledge the existence of the report and its recommendation by signing it. The issuing supervisor will provide a copy of the Letter of Counseling form to the affected employee.
- C. The Letter of Counseling form will be reviewed by the employee's chain of command, up to and including the division commander. If sustained, the division commander will forward a digital copy of the Letter of Counseling to Professional Standards. The original will be placed in the employee's divisional file and held according to departmental retention guidelines for divisional files.

501.10 Notice of Disciplinary Action Form

- A. The Notice of Disciplinary Action is used to recommend formal discipline for an employee at the conclusion of an investigation.
- B. The employee receiving the Notice of Disciplinary Action will acknowledge the existence of the report and its recommendation by signing it. The issuing supervisor will provide a copy of the Notice of Disciplinary Action form to the affected employee. The employee's entire chain of command will review the form.
- C. If formal discipline is sustained, the form and its supporting documentation will be permanently maintained in the employee's disciplinary record.
- D. If formal discipline is not included in the final disposition, Professional Standards will retain a digital copy of the form and its supporting documentation in the manner authorized by state law and department policy.

501.11 Suspensions / Demotions / Terminations

A. Sworn Personnel

- 1. The chief of police may suspend sworn personnel for a definite period of time or recommend in writing to the Commission an involuntary demotion pursuant to Civil Service procedures.
- 2. The chief of police may suspend sworn personnel for an indefinite period of time (tantamount to termination) pursuant to Civil Service procedures.
- 3. The chief of police may offer "uncompensated duty" to sworn personnel instead of suspension.

B. Civilian Personnel

- 1. A bureau chief may suspend civilian personnel for a definite period of time or recommend in writing to the chief of police an involuntary demotion pursuant to personnel policies of the city of Irving.
- 2. A bureau chief may dismiss (terminate employment) civilian personnel pursuant to personnel policies of the City of Irving.

501.12 Appeal of Suspensions / Demotions / Terminations

- A. An appeal from a suspension, demotion, or termination is available to non-probationary officers and civilian employees.
- B. The first level of appeal for civilian personnel is the chief of police. Appeals beyond the chief of police are pursuant to the personnel policies of the City of Irving.
- C. The appeal process for officers is fully described in Chapter 143, Texas Local Government Code and the rules of the Civil Service Commission.

501.13 Confidentiality of Investigations

A. Investigations of an internal nature are confidential and will be discussed only with the personnel directly involved. Information will be released only as authorized by the chief of police.

501.14 Notification of Persons Involved

- A. The complainant will be informed of the results of the investigation at its conclusion.
- B. The employee will be informed of the results of the investigation at its conclusion.
- C. If a negative letter, memorandum, document, or other notation of negative impact is included in a police officer's permanent personnel file, the City Civil Service Director will, within 30 days, notify the affected police officer.
- D. The police officer may, on or before the 15th day after the receipt of the notification, file a written response to the Civil Service Director concerning the negative letter, memorandum, document, or other notation.

502.00 COMPLAINT PROCEDURES

502.01 Purpose

This policy provides guidelines for making and accepting complaints against employees.

502.02 Policy

Persons wishing to make a complaint against an employee will be provided the opportunity and will be informed of the process to make the complaint.

502.03 Requirements for Making Complaints

- A. Complaints should be in writing and whenever possible signed by the person making the complaint. Complaints will also be accepted by phone, email or other electronic submission process
- B. Allegations of criminal violations will be investigated, whether or not a complaint is written or signed.

502.04 Time Limit on Accepting Complaints

- A. There is no time limit on accepting complaints.
- B. Persons making delayed complaints should be informed that while there is no time limit for accepting complaints, however there is a time limit for formal disciplinary action pursuant to the Civil Service Act, Chapter 143, Texas Local Government Code and statutory limitations.

502.05 Employees' Responsibility

- A. Employees involved in a complaint or administrative investigation or having knowledge of the incident under investigation will notify their supervisor and will submit a memorandum addressed to the chief of police if requested or ordered to do so.
- B. Supervisors will initiate investigations when they become aware of infractions and take necessary action to document and/or recommend discipline in accordance with departmental policy.

503.00 EMPLOYEE'S RIGHTS DURING INTERNAL INVESTIGATIONS

503.01 Purpose

This policy ensures that an employee's rights are maintained during an internal investigation.

503.02 Policy

All rights afforded by law to an employee will be maintained during an internal investigation.

503.03 Requirement to Answer Questions

- A. An employee can be required to answer questions relating to any internal administrative investigation, and he or she can be disciplined for refusal to answer such questions.
- B. Any such required statements may be used against the employee in a disciplinary action or civil proceeding. The statements may not be used against the employee in subsequent criminal prosecution of the employee.

503.04 Counsel's Presence During Interview

- A. Civil Service personnel may be accompanied by legal counsel or a representative of a departmental employee group during the disciplinary hearing with the chief of police.
 - 1. Employees do not have the right to have legal counsel or a representative of a departmental employee group present during an internal administrative investigation or interview.
- B. An employee may have legal counsel present at an interview conducted by the Criminal Investigation Division during the criminal investigation in which he or she may be the subject of a criminal offense.

503.05 Criminal Violation(s)

- A. If an employee is a criminal suspect, the employee will immediately notify a department supervisor. The notified supervisor will ensure that the Professional Standards Section is notified immediately.
- B. If an employee is arrested for a criminal act, the employee will immediately notify a department supervisor. The notified supervisor will ensure that the chief of police, Professional Standards Section, and the employee's division commander are notified immediately.
- C. If an employee is a criminal suspect, the internal administrative investigation will be conducted by the Professional Standards Section.
- D. If the offense occurs in Irving, the appropriate investigative unit within the agency will conduct the criminal investigation.
- E. In instances where the investigation of an employee is initiated due to the arrest or filing of criminal charges unrelated to their employment, the completed investigation will be referred to the employee's division commander for a recommendation on discipline and then forwarded up the chain of command.

503.06 Internal Investigation of Criminal Acts

- A. If an employee is a criminal suspect or there is any indication that an employee may be a criminal suspect, before being required to answer questions or give a statement, the employee will be advised of the following:
 - 1. Failure to answer questions or give a statement may result in disciplinary action
 - Such questions will be narrowly and specifically related to their performance of duties or fitness for office
 - 3. Such statements cannot and will not be used against the employee in subsequent criminal prosecution of the employee

503.07 Employee's Disciplinary Memorandum

- A. When completing a memo regarding any incident in which formal discipline or criminal charges may result, the employee may request that the *Garrity* warning be included in the memo. (see example in appendix)
- B. The *Garrity warning* provides written notice to the employee that the memorandum is for internal purposes only, and it cannot by law be used as evidence against him or her in any subsequent criminal prosecution, absent any exception provided by law

503.08 Special Examinations

- A. During an internal investigation, the chief of police or designee may order an employee to submit to examinations such as, but not limited to:
 - 1. Polygraph
 - 2. Blood
 - 3. Urine
 - 4. PBT
 - Psychological
 - 6. Physical
 - 7. Standard Field Sobriety Tests
- B. The chief of police or designee will administer these tests in accordance with Texas Local Government Code Chapter 143.
- C. The results of such tests or examinations will not be used against the employee in subsequent criminal prosecution of the employee.
- D. Refusal to submit to an examination after being ordered to do so may subject the employee to disciplinary action. Refusal to properly complete and sign any waivers or documents that are necessary for the special examination to be conducted may subject the employee to disciplinary action.

E. An accused employee may submit a written request to the chief of police requesting examination if the employee believes that such examination would be beneficial to his or her defense.

503.09 Administrative Leave

A. During an investigation, a supervisor of the rank of lieutenant or above or the Professional Standards Sergeant may find it to the employee's and/or the department's advantage to use administrative leaves for one shift. Utilization of more than one shift (8 or 12 working hours) requires a bureau chief or chief of police approval.

504.00 DISCIPLINARY REVIEW BOARD

504.01 Purpose

This policy provides employees of this agency with guidelines on convening a Disciplinary Review Board.

504.02 Policy

Upon request, an employee may have a Disciplinary Review Board review the recommended discipline and forward their recommendation to the chief of police.

504.03 Procedure

- A. The Disciplinary Review Board will be convened under the following circumstances:
 - At the request of an involved employee when a recommendation of a suspension without pay has been made by their chain of command through the bureau chief. This also includes a recommendation for reduction in rank or indefinite suspension. The release of a probationary employee is not considered discipline, and no Disciplinary Review Board will be convened.
 - At the request of the chief of police with regards to any pending disciplinary matter.
- B. A request will be in writing and directed to the Professional Standards Lieutenant. The involved employee must make the request within two business days of being notified of the recommendation of the bureau chief.
 - Once a request has been made for a hearing before the Disciplinary Review Board, the Professional Standards Section Lieutenant will coordinate the selection of board members and designate the time and place of the hearing. The board should be convened as soon as practical after the request of the involved officer.

504.04 Duties of the Board

- A. The board will discover if, by a preponderance of the evidence, the involved officer/employee has violated the policies of the Irving Police Department. (Beyond information obtained by the board interviewing departmental employees, any questions concerning the facts and/or circumstances surrounding the incident(s) being investigated will be directed to the investigating supervisor for answers.)
- B. The board will make a recommendation to the chief of police based on discipline that is consistent with established precedents, fairly reflects the nature of the violation, and considers the disciplinary history of the officer.
- C. The board will present findings and make recommendations in writing to include pertinent, supporting information. The report will be signed by all board members in agreement. Every attempt should be made to reach a consensus of all board members. However, if a consensus cannot be reached, a simple majority will rule and the dissenting member(s) will also sign the written report in a manner reflecting their dissent. A brief explanation of the reasons for the dissent may be included at the end of the report if requested by a dissenting board member.
- D. The Disciplinary Review Board hearing will be an informal non-evidentiary process. The involved employee may be present during the hearing, which will be recorded, with the exception of deliberations of the board.

- E. The Board Chairperson may order the appearance of any departmental member having information concerning the facts and circumstances of the incident being investigated.
- F. Board members will have equal authority and responsibility in regard to determining facts and developing findings and recommendations.
- G. While reasonable efforts of persuasion are acceptable when attempting to form a consensus, no member will use their rank to coerce or influence a member of a lower rank.
- H. The chairperson will cause a written opinion of the board to be completed and forwarded to the chief of police within two working days after the hearing. A copy of the opinion will be furnished to the involved employee. Additionally, the involved officer/employee may request to be notified verbally by the chairperson of the board's findings and opinion immediately after the deliberations.
- I. The chief of police may alter this procedure when time constraints or other circumstances dictate.

504.05 Composition of the Board

- A. The Disciplinary Review Board will consist of five (5) members as follows when the appellant is the rank of police officer or a civilian employee:
 - 1. One member of the rank of captain or lieutenant who will serve as chairperson
 - 2. One member of the rank of sergeant
 - 3. One member of the rank of police officer
 - 4. Two members of the same rank as the involved officer, or in the case of a civilian employee, two members with similar assignment and responsibilities
- B. The Disciplinary Review Board will consist of five (5) members as follows when the appellant is a supervisor:
 - 1. One member of the rank of captain who will serve as chairperson
 - 2. Four members of the same rank or higher as the involved supervisor.
- C. Each Board representative will be randomly selected from those members of their rank eligible to serve. The exceptions to service will be as follows:
 - Officers assigned to the same section, shift, or chain of command of the involved officer, will be excluded.
 - 2. Officers will be required to serve on only one board per year. Once selected, their names will be removed from the selection pool for one year.
 - Members of the Professional Standards Section will be excluded.
 - 4. All personnel involved in the incident resulting in the recommendation for discipline will be excluded.
- D. This selection process will be coordinated by the Professional Standards Lieutenant.

E.	Officers selected to serve on the board may request to be excluded if compelling reasons exist. The Professional Standards Section Lieutenant will make the decision as to the validity of the officer's reasons with the overriding concern being the fairness and objectivity of the board.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

600.00 COMMUNICATIONS

601.00 MEDIA RELATIONS

601.01 **Purpose**

This policy provides guidelines for the release of information to, and contact with, the media.

601.02 Policy

The Public Information Officer will be the primary point of contact for the media.

601.03 Public Information Officer (PIO)

- A. The release of newsworthy information regarding major incidents, special events, crime statistics, etc. should be performed by the PIO.
 - 1. This does not preclude the chief, assistant chiefs, or division commanders from releasing information relating to events under their control.
 - The PIO should be contacted as soon as practical and informed of the information released.
- B. The PIO should be utilized on major crime/incident scenes to coordinate the release of information to the media.
 - 1. Call-out of the PIO will be at the discretion of a supervisor.
 - 2. In the absence of the PIO, the ranking officer, or the watch commander at a scene should be used for media briefings.
- C. Only the Professional Standards Lieutenant will, at the direction of the chief of police, release to the news media information regarding internal investigations or matters.
- D. Officers are encouraged to communicate with the media; however, requests for information should be first referred to the PIO. In the PIO's absence both investigators and uniform personnel having investigatory responsibilities on a specific case or incident may, with consent of the division commander, release information as stated in this policy. Officers should be aware of information eligible for release pursuant to this General Order and the Texas Public Information Act.

601.04 Media Requirements and Privileges

Media must display appropriate credentials prior to being admitted to restricted areas.

- 1. Non-traditional media representatives such as citizen journalists, bloggers and social reporters should generally be afforded the same considerations as traditional reporters.
- 2. The decision to allow the non-traditional media access to a restricted area will be handled on a case by case basis. Factors such as an established relationship with the PIO, the existence of their website/broadcast/publication, verification by a known or trusted source should be considered.
- B. Media representatives may not resist, obstruct, or oppose an officer in the lawful execution of his or her duty. However, the mere presence of a reporter taking pictures or asking questions does not constitute unlawful interference. Employees should refrain from making comments on the relevance of reporter's questions.
- C. Officers will not restrict movement of reporters unless their actions clearly and directly interfere with police operations or investigations.
- D. Media representatives are not exempt from any federal, state, or local law. They will, if arrested, be dealt with in the same manner as with any other violator.
 - No media representative will have any property confiscated or be threatened with confiscation without due process of law. This includes cameras, notes, digital storage media, etc.
 - 2. Officers who experience extreme difficulties in dealing with individual media representatives should report such circumstances through their chain of command to their division commander.

601.05 Major Incidents

- A. The PIO or designated media contact officer will determine access, making an effort to accommodate the media's needs to be as close as possible to the incident.
- B. At the scene of an incident in which the Irving Fire Department has the primary responsibility, the PIO or designated media contact officer should coordinate with the fire department PIO or Incident Commander to determine media access and messaging.
- C. The PIO or designated media contact officer will provide timely "situation briefings" to members of the media.

601.06 Crime Scenes

- A. Media representatives may be given guided access to crime scenes as soon as determined practical by the ranking investigative officer, except:
 - 1. When the crime scene is on private property and the person responsible for the property requests the media to leave.
 - 2. When the presence of the media might adversely affect the preservation of the crime scene or interfere with an investigation.
 - 3. When the presence of the media would interfere with an operation.

601.07 Release of Information

- A. Upon request, the PIO or designated media contact officer may provide media representatives with factual information pertaining to:
 - 1. The facts and circumstances of arrest, including the time and place of arrest, resistance, pursuit, and any use of weapons. The race, sex and age of the suspect may also be released, but the name and address of the suspect must remain confidential until the suspect has been booked in jail, formal charges have been filed, or the release of the information is necessary to apprehend the suspect. For the purposes of this order, filing charges is defined as that point when prosecution reports and other necessary paperwork have been accepted by the District Attorney's office.
 - 2. The identities of the investigating and arresting officers if such disclosure does not compromise an undercover operation or unless conditions arising from the incident would expose the officer(s) involved to a higher than normal risk of retaliation.
 - 3. A general description of the evidence seized. (Avoid providing specific descriptions of evidence that would tend to hinder or prejudice the investigation.)
 - The nature, substance, or text of a charge, including a brief description of the offense or incident.
- B. Information will not be released pertaining to:
 - 1. The contents of a statement or even the mere existence of an admission or confession
 - 2. Personal opinions about the suspect or evidence
 - 3. Statements concerning anticipated testimony or the truthfulness of witness(es)
 - 4. The results of fingerprint, polygraph, ballistics, or laboratory tests that would hinder the investigation and/or prosecution of a case
 - 5. The names of victims until next of kin have been notified (This applies to both citizens and to police officers killed or injured.)
 - 6. Any information on a juvenile's name
 - 7. Names of sexual assault victims
- C. The PIO will be responsible for keeping a current list of media contacts, names, organizations and telephone numbers.
- D. Only employees authorized by their division commander and/or the chief of police will make any public announcements or statements concerning any aspect of departmental policies, procedures, investigations, or personnel.
- E. Employees are not to reveal any confidential information to anyone unless authorized by a supervisor to do so.
- F. Employees are not to disseminate any official correspondence to any person outside the police department unless authorized.

601.08 Photographs and Interviews

- A. Pictures may be taken in or from any area to which media members have been granted access. However, officers may restrict the use of flash, strobes, and other high-intensity lighting when such use might hinder a police operation.
- B. Officers will not interfere with a photographer taking a picture of a prisoner, except when the release of such photograph might hinder the investigation and/or prosecution of a case.

601.09 Internal Matters

A. Requests for information regarding internal investigations or matters should be referred to the Professional Standards Lieutenant. The commander of the division, section, or unit in which the investigated personnel are assigned will not release such information.

601.10 Routine Matters

A. Routine newsworthy information will be released to the news media by the Public Information Officer. Any division commander who deems it necessary to release routine newsworthy information should contact the PIO as soon as practical and inform him or her of the release.

601.11 AMBER Alert

- A. In the case of a confirmed child abduction, the Public Information Officer, watch commander or investigator may request the activation of an AMBER alert through the Texas Department of Public Safety-Division of Emergency Management. A copy of the AMBER alert paperwork/notification will be forwarded to the PIO.
- B. Criteria for activating an AMBER alert are as follows and all must be met:
 - 1. The child must be 17 years of age or younger, whose whereabouts are unknown, and whose disappearance law enforcement has determined to be unwilling which poses a credible threat to the child's safety and if abducted by a parent or legal guardian, the abduction in the course of an attempted murder or murder.

<u>or</u>

- 2. The child is 13 years of age or younger, who was taken (willingly or unwillingly) without permission from the care and custody of a parent or legal guardian by:
 - a. Someone unrelated and more than three years older,

<u>or</u>

- Another parent or legal guardian who attempted or committed murder at the time of the abduction.
- 3. The child is in immediate danger of sexual assault, death or serious bodily injury.
- 4. The preliminary investigation verified the abduction and eliminated alternative explanations for the child's disappearance.
- 5. Sufficient information is available to disseminate to the public to help locate the child, a suspect, or the vehicle used in the abduction.

(Note: this plan is not intended to be used for runaways. And, while each case must be judged individually, most child custody situations do not qualify)

- C. Creating Local and Regional Alerts
 - 1. In the event of a confirmed child abduction or critical/endangered missing person, it may be necessary to alert the public; however, some cases may not require or qualify for state network activation.
 - 2. The PIO, watch commander, investigator, ranking officer or their designee may issue notification to the public of a confirmed child abduction or critical/endangered missing person.
 - 3. The most effective means to create a local alert is through the use of the department's social media sites (Facebook, Twitter, NextDoor, etc.). In this manner, the information will be delivered to the community, local government organizations and the media.
 - a. If possible, the PIO or a Media Affairs Coordinator should be contacted to create a flyer for social media. The flyer should contain as much information as permissible, including photographs, about the missing or abducted person.
 - b. In the absence of the PIO and Media Affairs Coordinators, authorized persons may direct a Communications Supervisor to post the information to the department's social media pages.
 - c. If necessary, the information may be given directly to the local network television and radio stations (Fox4, NBC5, WFAA8, CBS11, WBAP820 & KRLD1080). The communications section maintains a current list of 24hour contact telephone numbers.
 - 4. An additional resource to distribute information is by activating a regional alert (AMBER Alerts only). The Tarrant County Sheriff's Office (TCSO) coordinates the release of information for Region 6 which includes Tarrant, Dallas and the surrounding counties.
 - a. The criteria for a Regional AMBER Alert Activation are the same as that for a State Network Alert; however, activating the Regional AMBER alert will not activate the State AMBER Alert Network.
 - b. To initiate a Regional AMBER Alert, contact the Tarrant County Sheriff's Office at (817) 884-1213 for additional information.
 - Officers should anticipate a response from the media to any alert issued at the local, regional or state level. The PIO should be notified as soon as possible of any situation that appears likely to result in an alert activation. If the PIO is unavailable, the watch commander or ranking officer should designate an officer to address the media and provide them with necessary updates.
- D. Deactivating a Local or Regional Alert
 - 1. Once it becomes necessary to cancel a local or regional alert, an update should be posted to social media, all local television and radio stations and any other source that was used to disseminate the original alert.
- E. Request Procedures for State Network Activation of AMBER, Silver, Blue and Endangered Missing Persons Alerts
 - 1. Activation Procedure: All of the criteria for the type of alert being sought must be met before submitting a request. If so, proceed with the following:

- a. An entry should be made within the Texas and/or National Crime Information Center (TCIC/NCIC), supporting the missing person incident.
- b. Requests to activate the State Network involve submitting the appropriate request form (AMBER, Silver, Blue or Endangered Missing Persons) to the State Operations Center (SOC), Texas Division of Emergency Management (TDEM). All Request Forms can be completed online (Texas Department of Public Safety website under AMBER & Related Alerts) and routed to the SOC via email at soc@dps.texas.gov (preferred method), or faxed to (512) 424-2281 or (512) 451-2291. Review the 2nd page of each request form, containing email and fax instructions.
- c. Email available photographs of the missing person, suspect and the vehicle to the SOC.
- 2. Verification Procedure: Contact the SOC at (512) 424-2208 or (512) 424-2277 to ensure all documents involving the request were received.
 - a. Be prepared for DPS staff to contact the requestor in order to resolve any request form discrepancies, which may include how the state criterion was satisfied. An employee with knowledge of the incident should be available to discuss the missing person incident.
 - b. The Texas Department of Public Safety website contains a comprehensive guide, including a variety of law enforcement and public resources for the issuance of AMBER, Silver, Blue and Endangered Missing Persons Alerts.
- F. Cancelling or updating an active AMBER, Silver, Blue and Endangered Missing Persons Alerts: Once the missing person has been recovered or it is decided the alert is no longer effective the alert needs to be cancelled.
 - a. Immediately contact the SOC if the missing person is located, or to update alert information.
 - b. Alerts issued by the State Network have a maximum activation period of 24-hours. Requests to extend an alert must be accomplished on or before the last 23-hour reminder from the SOC, indicating why an extension is necessary.

601.12 Endangered Missing Persons Alert

- A. In the case of a confirmed endangered missing person the Public Information Officer, watch commander or any investigator may request the activation of an Endangered Missing Persons Alert through the Texas Department of Public Safety-Division of Emergency Management. A copy of the network activation request will be forwarded to the PIO.
- B. Criteria for activating an Endangered Missing Persons Alert is as follows and **all must be met**:
 - 1. The missing person has been diagnosed with an Intellectual Disability and or a Pervasive Developmental Disorder, to include Asperger's Disorder, Autistic Disorder, Autism Spectrum Disorder, Childhood Disintegrative Disorder, Rett's Disorder, or a Pervasive Developmental Disorder that has not otherwise been specified.
 - a. If the missing person has been diagnosed with an Intellectual Disability, law enforcement shall require a written diagnosis from a physician or psychologist licensed to practice within the Texas, or certified by the Texas Department of

Aging and Disability Services and/or the Texas Department of State Health Services.

- 2. There has been a confirmed investigation verifying that a reasonable explanation for the missing person's disappearance has been ruled out and that the disappearance poses a credible threat to the health and safety of the missing person.
- 3. The Endangered Missing Person's Alert request must be made within 72 hours of the missing person's disappearance.
- 4. There is sufficient information available to disseminate to the public that could assist in locating the missing person.
 - a. The highway signs will be activated only if accurate vehicle information is available and it is confirmed that the missing person was in the vehicle at the time of the disappearance.

B. State Network Activation Request Procedure

1. The same procedures as outlined for activation and deactivation of the State Network for AMBER, Silver, Blue, and Endangered Missing Persons Alerts should be followed to request network activation or to update or cancel an existing alert.

601.13 Silver Alert

- A. In the event of a confirmed missing elderly person with impaired mental condition, the Public Information Officer, watch commander or investigator may request the activation of a Silver Alert through the Texas Department of Public Safety-Division of Emergency Management. A copy of the Silver Alert paperwork/notification and supporting documentation will be forwarded to the PIO.
- B. Criteria for activating a Silver Alert is as follows and all must be met:
 - 1. The missing person is 65 years of age or older
 - 2. The missing person has a diagnosed impaired mental condition, and their disappearance poses a credible threat to their health and safety
 - a. Law enforcement shall require the family or legal guardian of the missing person to provide documentation from a medical or mental health professional of the missing person's condition.
 - An investigation has taken place verifying that the missing person's disappearance is due
 to their impaired mental condition, and alternative reasons for their disappearance have
 been ruled out
 - 4. The Silver Alert request is within 72 hours of the missing person's disappearance
 - 5. There is sufficient information available to disseminate to the public that could assist in locating the senior citizen
 - a. Highway signs will be activated only if accurate vehicle information is available and it is confirmed that the missing person was driving the vehicle at the time of the disappearance.
- C. State Network Activation Procedure

1. The same procedures as outlined for activation and deactivation of the State Network for AMBER, Silver, Blue, and Endangered Missing Persons Alerts should be followed to request network activation or to update or cancel an existing alert.

601.14 Blue Alert

- A. The Blue Alert Program is intended to assist in the quicker apprehension of violent criminals who kill or seriously wound local, state, or federal law enforcement officers. The program utilizes media broadcasts and TXDOT's messaging signs to blanket the State with information identifying the vehicle of the suspected assailant which will hinder violator's ability to flee the State and facilitate capture.
- B. If an incident meets the criteria outlined below and the decision is made to request a Blue Alert, the Public Information Officer, watch commander or investigator may request the activation of a Blue Alert through the Texas Department of Public Safety- Division of Emergency Management. A copy of the Blue Alert paperwork/notification and supporting documentation will be forwarded to the PIO.
- C. Criteria for activating a Blue Alert is as follows and **all must be met**:
 - 1. A law enforcement officer must have been killed or seriously injured by an offender.
 - 2. The investigating law enforcement agency must determine that the offender poses a serious risk or threat to the public and other law enforcement personnel.
 - 3. A detailed description of the offender's vehicle, vehicle tag, or partial tag must be available for broadcast to the public.
 - 4. The investigating law enforcement agency of jurisdiction must recommend activation of the Blue Alert to the State Operations Center (Texas Division of Emergency Management.)

D. State Network Activation Procedure

1. The same procedures as outlined for activation and deactivation of the State Network for AMBER, Silver, Blue, and Endangered Missing Persons Alerts should be followed to request network activation or to update or cancel an existing alert.

602.00 RADIO COMMUNICATIONS

602.01 **Purpose**

This policy provides employees of this agency with guidelines governing the use of the departmental radio system.

602.02 Policy

It is the policy of this agency that radio communications will be in compliance with federal and local protocol.

602.03 Definitions

Computer Aided Dispatch (CAD): The computerized system of creating, dispatching and tracking calls for service; includes the entry and/or dissemination of call notes, dispositions and racial profiling data.

Confirmation: Direct contact with the entering agency, prior to arrest or seizure, to verify that a wanted person or stolen property designated on an NCIC or TCIC hit remains at-large and is subject to arrest or seizure.

Driving: Operating a motor vehicle that is in motion

Emergency: An event of such magnitude as to require the immediate, urgent response of one or more patrol units. Emergencies are generally in-progress Priority 1 calls (e.g. pursuits, assist officer, shootings, robberies, aggravated assaults, and major disturbances).

Hit: A computerized response to a wanted person or stolen property inquiry, received via NCIC or TCIC, which contains specific information, including identifiers, indicating that a person may be wanted or property may be considered stolen.

NCIC Operator: A dispatcher assigned to the NCIC radio channel with the responsibility of assisting officers with confirmations, criminal history checks, and auto pound log numbers.

602.04 Procedures

- A. Police radios may not be installed in non-city vehicles, vessels, or aircraft unless authorized by the chief of police.
- B. All data transmissions (including police radio and MDC) are recorded and are available for dissemination to the public in accordance with the Texas Public Information Act. The department regularly receives requests for data transmissions; therefore, officers must ensure their transmissions pertain to police activities and are professional in nature.
- C. Primary channels (**S PATROL** and **N PATROL**) are reserved for communications requiring the attention of a dispatcher. Radio communications not requiring the attention of a dispatcher shall be made on a car-to-car channel (**SCAR/CAR** and **NCAR/CAR**).
- D. All police communications equipment is for official police business only.
- E. Each individual unit assigned to a call is responsible for clearing themselves from the call.
- F. Officers who utilize their radio while off-duty shall utilize their badge number as a call sign (e.g. "Badge 743"), unless they have an assigned call sign.

- G. Patrol units occupied by two armed, commissioned police officers (regular or reserve) shall be identified in all radio transmissions by the addition of the prefix "L" before the designated beat number or appropriate identification number (e.g. "L 163 traffic").
 - 1. EXCEPTION: Each PTO may determine the manner in which their recruit shall be identified during radio transmissions, as to include the addition of the suffix A after their designated beat number (e.g. "163 to 163 A").

H. Personnel are:

- 1. To comply with rules and regulations of the Federal Communications Commission.
- 2. To be cautious when consuming liquid and food products within proximity of police radios, mobile data computer (MDC's), and cell phones; and are responsible for any damages caused by spills.
- 3. To acknowledge calls for service by either police radio or MDC. The method of acknowledgement is at the discretion of each officer.
- 4. To use police radios in a professional manner. The use of voice inflections conveying anger, dissatisfaction, sarcasm, criticism, or any other type of voice irritation of any unprofessional nature is prohibited and may result in disciplinary action.
- 5. To remain in radio contact with Communications unless out of service.
- 6. Required to notify Communications if they are unable to accept calls for service (e.g. court, restroom break, equipment maintenance, etc.). While out of service, officers shall remain in contact with Communications, if possible. Officers shall return to service as soon as they are available to accept calls.
- 7. Prohibited from asking a dispatcher to change from a primary channel.
- 8. Radio transmissions will normally be conducted in plain language.
- 9. Not to use channels reserved for other divisions and units (e.g. **TACT**, **VIC/NAR**, **CID**, **TRAFFIC**, **SRO**, etc.) unless instructed to do so.
- 10. To avoid the practice of volunteering locations or opinions via police radio
- 11. Except during emergency calls for service, to refrain from asking a dispatcher the following:
 - a. To repeat the location of the call;
 - b. To repeat the time the officer arrived at the location;
 - c. Street directions; or
 - d. To repeat the description of wanted vehicles or suspects.

602.05 Responsibilities and Authority

A. Communications Section

1. The Communication Staffing Room is a restricted access area.

- 2. Authority of Communications Section
 - a. May override the transmission of any mobile unit or other dispatch point to broadcast an emergency transmission
 - b. May utilize the additional channel(s) as required
 - c. The Communications Section will not make supervisory decisions for field officers. A field supervisor will respond to a request for supervisory assistance.

B. Division Commanders

- 1. The Technical Services Division Commander will have primary responsibility for the operation of all base station equipment.
- 2. The Technical Services Division Commander has primary responsibility for all procedural operations in the communications area and dispatch points.
- 3. The division commanders will have primary responsibility for seeing that established radio procedures are followed by their personnel. This in no way relieves other supervisors of their responsibility to correct errors or deviations in their specific areas.
- 4. The division commanders are responsible for ensuring proper operation of mobile equipment under their command.

602.06 Codes and Signals

A. These codes and signals are to enhance officer safety and are for use in radio communications. Plain language transmission should be used whenever possible to ensure the message is clear and understood correctly.

The following signals and 10-codes may be used when officer safety dictates:

Code 1..... Routine response

Code 3..... Emergency response/use of red lights and siren

Code 4...... Situation under control/ disregard additional or back-up unit

Code 10...... Known offender

Code 10C..... Dangerous or violent known offender

Code 10S Known sex offender

Code 10T Possible terrorist organization member

Code K Deceased person, handle incident tactfully due to circumstances or location, (i.e., family members present)

10-4 Universal acknowledgment / understanding of radio transmissions

10-10 Away from vehicle, subject to call

10-12 Other person present

10-23 Request back-up

10-29 Stolen or wanted check

10-99 Wanted or warrants indicated, (e.g. "The subject is 10-99")

602.07 Phonetic Alphabet

A. The phonetic alphabet is used for spelling out unusual names of persons or locations or, more commonly, for broadcasting license plate information.

B. The following is the standard phonetic alphabet to be used:

A – Adam	G – George	M – Mary	S – Sam	Y – Young
B – Boy	H – Henry	N – Nora	T – Tom	Z – Zebra
C – Charles	I – Ida	O – Ocean	U – Union	
D – David	J – John	P – Paul	V – Victor	
E – Edward	K – King	Q – Queen	W – William	
F – Frank	L – Lincoln	R – Robert	X – X-ray	

602.08 Broadcast of Sensitive Material

- A. Criminal history information will not be broadcast. Officers will be advised if the subject is Code 10, Code 10C, or 10S only.
 - 1. When an officer determines there is an immediate need for criminal history information to further an investigation or there is a situation affecting the safety of an officer or the general public, then the details of criminal history record information may be transmitted.
- B. Information marked confidential, secret, or pertaining to internal matters will not be broadcast.
- C. Employees home addresses and telephone numbers will not be broadcast.

602.09 Radio Call Signs

- A. The Technical Service Division Commander is responsible for assigning, maintaining, and updating radio call signs.
- B. Employees will identify themselves on the radio by their assigned call sign or badge/identification number if not assigned a call sign.

602.10 Hand Held Radios

- A. Portable hand held radios are serviced by the Property Section. The Property Section is responsible for assigning, maintaining, and checking out the radios assigned to police personnel.
- B. Radios that are damaged or require maintenance will be turned in to the Property Section and forwarded to the City Radio Shop.

602.11 Emergency Procedure - Equipment Failure

A. In the event of an equipment failure on a particular radio channel, a supervisor will contact the Communications Section on another channel to advise of the outage. If there is another channel

that is not affected, the Communications Section will coordinate the move of the units to the other channel.

- B. The Police and Fire Training Academy has 9-1-1 and dispatch capabilities and may be utilized as back-up PSAP as needed.
 - The Technical Services Division Commander will establish and maintain procedures to assure efficient transfer of operations and that periodic equipment inspections are performed.
- C. In the event of a total equipment failure affecting all frequencies, the watch commander will contact the Communications Supervisor and coordinate how calls will be relayed to officers.

603.00 TELEPHONE COMMUNICATIONS

603.01 **Purpose**

This policy provides employees with guidelines governing the use of telephones.

603.02 Policy

It is the policy of this agency that telephones and cell phones are provided for employees to perform their duties.

603.03 Long Distance Access Codes

Dial 1 and long distance number. When prompted, input "898" and the personal access code to complete the call. The long distance call will not be processed through without a code number.

603.04 Cell Phones

- A. Bureau chiefs designate assignments of city-owned cell phones.
- B. Employees are responsible for proper care of the city-owned cell phone.
- C. Employees issued a city cell phone are required to carry the cell phone and have it on at all times.
- D. Employees are responsible for reporting any loss or damage of the city-owned cell phone to their immediate supervisor.
- E. Employees are responsible for ensuring inoperative city-owned cell phones are returned to the Research and Planning Coordinator for immediate replacement.
- F. A cell phone is issued and activated only during the regular operating hours of the Research and Planning Coordinator: Monday through Friday, between 0800 hours and 1700 hours.
- G. Research and Planning Coordinator will ensure that an accurate cell phone assignment list is provided to the Communications Section.

603.05 Cell Phone Communications

- A. Employees are permitted to carry their personal cell phones while on duty.
- B. Employees will not be reimbursed for any fees related to the use of their personal cell phone while on duty. Reimbursement for damage to a personal cell phone while on duty will be in accordance with the General Order pertaining to Personal Property.
- C. Cellphone communications are transmitted on frequencies that are not secure; therefore, officers should use other means of communicating sensitive or confidential information. In addition, personnel should use discretion when allowing the use of departmental cellphones.
- D. Cellphones shall be used primarily for police business. Personal use is allowed; however, abuse of this privilege or inappropriate use may subject the employee to disciplinary action.
- E. Unless an emergency situation exists, departmental cell phones should be used in "hands free" manner while driving.

- F. Cellphones may be used as the primary method of contact for calls for service that would normally not require a report to be generated or evidence to be gathered (e.g. questions for police officers, general traffic or neighborhood complaints, civil disputes, assist citizen calls, etc.).
 - a. If the caller requests contact with an officer in person, the officer shall notify a dispatcher and respond to the caller's location.
- G. Officers may contact reporting persons and/or complainants directly via cellphone to obtain additional information regarding a call for service.
- H. Employees are prohibited from texting on any cell phone while driving.
- I. Employees will not have cell phone numbers printed on their business cards without a bureau chief's approval.
- J. The police radio remains the primary means of communication between units.
- K. In case of power outage or other problems disabling radio communication, the cell phone can be used to establish communications with dispatch personnel so calls for service may be dispatched.
- L. Repairs will be made by authorized factory personnel only, per existing city contracts.

603.06 Fax Transmissions

- A. Highly sensitive material should not be transmitted by fax if other, more secure methods are available. If faxing is absolutely necessary, the sender will arrange to have the receiver standing by at the time the information is faxed.
- B. The sender will verify the fax telephone number prior to sending official information.

603.07 Hearing Impaired Telephone System

- A. Telephones designed for use by the hearing impaired are maintained in the jail and Communications.
- B. Access to these telephones may be obtained by contacting a supervisor.

604.00 COMPUTER COMMUNICATIONS

604.01 **Purpose**

This policy provides employees with guidelines on department owned computers.

604.02 Policy

This agency will provide access to the computer equipment needed for employees to perform their duties. The use of this computer equipment is governed by applicable laws and city policies.

604.03 Definitions

Authorized Personnel: are those employees who have been properly trained and assigned by the division/section commander (or higher authority) to a specific computer system(s) and/or program(s). Personnel authorized access to one computer system and/or program may not necessarily be authorized to access other computer systems or programs in the same division/section or in another division/section.

Computer System: is the hardware and software purchased or acquired for the department's use. The term includes stand-alone units, networked systems, and work stations of a networked system when used as a stand-alone unit.

Hardware: includes but is not limited to terminals, central processing units, CRT'S, printers, modems, scanners, cables, and peripherals.

Software: are those computer programs approved, purchased, or acquired for which the department is held accountable under the copyright laws and licensing agreements of the program vendor.

604.04 Crime Information Computers

- A. The use of Texas criminal history record information is governed by Sections 411.081 through 411.127, Texas Government Code. All individuals who access criminal history record information should be aware of the authorized uses and penalties for misuse.
- B. Computerized criminal history information may be obtained from:
 - 1. National Crime Information Center (N.C.I.C.)
 - 2. Texas Crime Information Center (T.C.I.C.)
 - 3. Regional computer
 - 4. Fuginet
- C. Criminal history data retrieval and dissemination is restricted to members of criminal justice agencies for criminal justice purposes.
- D. Access to crime information computers and use of such computers is restricted to those persons authorized by S.O.P. or employees who have been properly trained in their use. Division commanders may further restrict access to computers within their jurisdictions.
- E. While performing secondary police service employment, an officer requesting information from NCIC or TCIC will first be required to verify their identity to the Communications Section and state

their location and the reason for the request. This information will be logged by the person taking the request.

- 1. For purposes of this general order, an officer is off-duty during that period of time that the city is not obligated by law or policy to compensate him or her.
- F. These systems are criminal justice tools for departmental purposes only and will not be used for other reasons
- G. Misuse of the systems can lead to punitive action against both the violating officer and the department.
- H. Logging Requirements for Criminal History Inquiries:
 - 1. The requestor "REQ" field must contain the requesting officer's last name and badge number. (e.g. REQ: Smith 123)
 - 2. The operator "OPR" field (person running the inquiry) must contain the operator's last name and I.D. or badge number. (e.g. OPR: Jones 1100)
 - 3. Both fields must be filled in if the requestor and operator is the same person. (e.g. REQ: Smith 123 / OPR: Smith 123)
 - 4. The "RFI" (Reason for Inquiry) field must clarify the type of offense being investigated or case number associated with that investigation. The following are examples of language that could be used:
 - a. Narcotics investigation
 - b. DL fraud investigation
 - c. Error resolution, record correction
 - d. TLETS security review
 - e. Missing person investigation
 - f. Investigation, case # XX-XXXX
 - g. Booking classification
 - h. Burglary investigation
 - i. Homicide investigation
 - j. Traffic stop

Note: the word "investigation" alone is not sufficient. It must be clarified.

604.05 Restrictions on Dissemination and Disposition

- A. Employees who obtain criminal history information in any manner are accountable for its dissemination and disposition.
- B. Printed copies of criminal history information should be destroyed or appropriately filed by the employee. TLETS, NCIC, TCIC or regional returns or other confidential proprietary information will not be downloaded to computers.

604.06 Computer and Data Security

- A. Computers that have the capability of retrieving, displaying, or printing police department records or other sensitive information will have a security system to prevent unauthorized review of such information.
- B. Employees will not use another employee's access code or password, nor will they permit their access code or password to be used by another. In order to meet CJIS rules, the password will conform to the following requirements:
 - 1. Minimum of eight (8) characters
 - 2. No dictionary words or proper names
 - 3. Password and User I.D. cannot be the same
 - 4. Passwords must be changed within a maximum of 90 days
 - 5. The last ten (10) passwords cannot be reused
 - 6. Passwords are not to be transmitted in the clear outside the secure location
 - 7. Passwords are not to be displayed when entered
- C. Employees will notify the Records Supervisor of errors or omissions in data. Employees will not alter, damage, or destroy data. Authorized destruction or alteration of data will be accomplished through the proper channels of authority.
- D. Employees will not leave terminals unattended without logging off or locking the computer.

604.07 Computer Systems

- A. Access to computer equipment is restricted only to authorized personnel.
- B. Maintenance of computer systems will be restricted to IT personnel.
- C. Loading software on departmental computers will be limited to items authorized and/or purchased by the police department.
 - 1. All software will be purchased through and loaded by the city's IT Department.
 - 2. All software and licensing information will be stored and maintained in the city's IT Department.
 - 3. Users are responsible for scanning media prior to viewing on departmental computers. Generally, only department issued media will be introduced or loaded on department computers and are to be used exclusively on department computers. In order to avoid corruption or infection of department devices personal information, files or programs are not to be saved to department issued drives.
 - 4. Games, non-standard screen savers, and unlicensed software are strictly prohibited on department computers.

- D. Employees are reminded that E-mail messages are not deleted from the system and are retrievable for review by supervisors, management, and under some circumstances, the courts. Close consideration of the appropriateness of all words and phrases must be given at all times.
- E. All department hardware will be installed by the city IT Department.
 - Hardware may not be moved to a different location without consulting personnel in IT.
- F. The officer's first priority and responsibility is the safe driving and operation of the vehicle.
- G. When assigned a vehicle with an operational MDC, each officer is expected to use it within the guidelines as prescribed by applicable SOP's and General Orders.
- H. All due care should be taken when operating an MDC. Generally, it is considered unsafe to read from or type on an MDC while the vehicle is in motion.
- During non-emergency calls for service, officers shall refer to their MDC for all call related information and notes.
- J. While driving, non-emergency correspondence (e.g. requests for wreckers, location updates, patrol information, etc.) and status changes not related to a call for service (e.g. fueling a vehicle, retrieving an item from the station, etc.) shall not be conducted via MDC.
 - 1. Non-emergency correspondence shall be sent via the messaging function.
 - 2. Officers shall perform status changes not related to a call for service via the status button within the Tritech Mobile application.
- K. While driving, officers are prohibited from using the messaging function to communicate with other officers or personnel in communications.
- L. Officers will not run criminal histories or local information while driving. It is permissible to use up to seven key strokes and run license plates while driving.
 - 1. Exception: Restrictions on MDC use while driving do not apply to the passenger officer in an "L" unit.
- M. MDC on the criminal justice mobile network designated for use in vehicles must be locked into a vehicle docking station.
- N. MDC's on the criminal justice mobile network designated for use by an individual will remain in the care and custody of the individual. When not in use the MDC must be locked in a secure location.
- O. In the event that a department mobile data computer is lost or stolen, dispatch will be instructed to contact the on call Information Technology person and the computer will be deactivated immediately.
- P. Computer hard drives or other media which may contain CJIS data will be destroyed in compliance with CJIS policy when their service life has ended.
- Q. Employees, contractors or third party users of CJIS information will report any suspected incidents involving the security of CJIS information immediately to a police communications supervisor. The Information Technology Section will be consulted when applicable to assist in the containment of the incident and the recovery of any compromised data

605.00 INMATE PHONE SYSTEM

605.01 **Purpose**

This policy provides guidelines for access to recordings and live phone calls made from the Inmate Phone System.

605.02 Policy

Access to recorded and live phone calls from the Inmate Phone System will be made available to employees of the agency upon approval of designated supervisors.

605.03 System Information

- A. The Inmate Phone System records all calls originating from the system.
- B. The Inmate Phone System allows for calls made from the system to be forwarded to a predetermined number and allows for live monitoring of the phone call.

605.04 Reviewing/Taping of Recorded Phone Lines

- A. Access to the Inmate Phone System by members of this department will be granted by the Administrative Jail Supervisor. The officer will enter the pass code into the web-based system to review any recording, monitor live calls, or create a recording of the call.
- B. Requests for copies of CD's or to listen to pre-recorded inmate telephone calls by personnel outside the department will be approved by the chief of police or designee.
- C. Should the need to listen to a recorded telephone conversation or monitor a live call occur after normal business hours and the departmental officer is not a member of the Investigative Services Bureau, he or she should obtain watch commander approval before obtaining access to the Inmate Phone System.
- D. Should there be a need to burn a CD/DVD copy of any call(s) from the Inmate Phone System platform for evidentiary purposes, the officer shall use the appropriate evidentiary format within the call platform to burn the CD/DVD.

606.00 SOCIAL MEDIA

606.01 **Purpose**

This policy establishes the department's position on the management, administration, and oversight of social media. This policy addresses all forms of social media.

606.02 Policy

Social media provides valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. The department recognizes the role that these tools play in the personal lives of some department personnel. Nevertheless, the personal use of social media can have a bearing on department personnel in their official capacities. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

606.03 Definitions

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of Internet-based resources that integrate user generated content and user participation. This includes, but is not limited to, social network sites, micro-blogging sites, photo and video sharing sites, wikis, blogs, and news sites.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

Wiki: Web page(s) that can be edited collaboratively.

606.04 Procedures

- A. As public employees, department personnel are cautioned that speech deemed detrimental to the department, on or off-duty, may form the basis for discipline if that employee is identifiable as a city or department employee. For purposes of this policy, an employee is identifiable as a city or department employee if:
 - 1. The detrimental speech is connected to a workplace matter; or
 - 2. The employee's social media page contains references to his or her employment with the city or police department; or

- 3. The content of the employee's social media page, as viewed by a person unacquainted with the employee, gives rise to an inference that the employee works for the city or police department.
- B. Department personnel are prohibited from the following:
 - 1. Speech containing obscene or sexually explicit language, images, or acts;
 - 2. Statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias or animus against any group, race, religion, or any protected class of individuals.
 - 3. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
 - 4. Speech which could bring the department into disrepute or which impairs the mission of the department and/or the ability of department personnel to perform their duties.
 - 5. Disparaging comments about any person.
 - 6. Posting, transmitting, or otherwise disseminating any information or photographs related to a criminal offense, or the seizure of property to which they have access as a result of their employment without written permission from the chief of police or designee.
- C. When using social media, department personnel should be mindful that they have no reasonable expectation of privacy in materials posted online, and that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's General Orders, Standard Operating Procedures and City Personnel Policies regarding personal conduct and third party disclosures are required in the personal use of social media.
 - 1. Employees should respect the privacy of others online and offline and they are prohibited from disclosing others' personal information
 - 2. An employee's online activities may provide material for undermining or impeaching an employee's testimony in criminal or civil proceedings.

606.05 Department Sanctioned Presence on Social Media

A. No bureau, department, section, or unit will create, develop or initiate a departmental social media page or site without written approval of the chief of police or designee.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

700.00 CLOTHING & APPEARANCE

701.00 UNIFORM PROCEDURES

701.01 Purpose

This policy provides guidelines governing the provision and wear of uniforms by employees of this department.

701.02 Policy

Uniforms will be provided for those employees required to wear them. Uniforms will be worn in accordance with existing policies and procedures.

701.03 Issuance and Alteration of Uniforms

- A. The Property Room Supervisor is responsible for maintaining an adequate stock of uniforms and for issuing uniforms and equipment.
- B. When possible, uniformed employees are to be fitted with serviceable uniforms from the department's available stock before new uniforms will be ordered.
- C. Employees who receive uniform(s) which do not fit properly will notify the property supervisor immediately.
- D. Upon initial issue, if minor alterations are needed, the Property Room Supervisor may instruct the officer to go to the contract tailor. The city will assume responsibility for payment of such alterations. Vendor information may be obtained from a property assistant. An employee may choose to utilize their personal tailor and request reimbursement for the lesser of the flat rate set by the department or the actual cost of the service provided from the Property Room.

701.04 Replacement Uniforms and Equipment

- A. Employees needing replacement of worn or unserviceable uniforms or equipment will present those items to the Property Room Supervisor for replacement.
 - 1. If the property supervisor is not available, any property assistant may make the exchange and will retain the item for inspection by the property supervisor.
 - 2. Instances of obvious abuse to an item(s) are to be referred to the employee's supervisor.
 - 3. Questions or unresolved issues are to be handled via the employee's chain of command.
- B. The old item is to be turned in when the new item is issued.

C. All serviceable uniform items turned in must be clean.

701.05 Proposed Uniform Changes

- A. Proposed uniform changes are to be submitted on a memorandum addressed to the chief of police.
- B. The chief of police may authorize changes or send the proposal to the Uniform Committee.

701.06 Composition of the Uniform Committee

- A. The Investigative Services Bureau Chief will serve as the permanent chairperson of the Uniform Committee.
- B. The committee will be composed of one captain, one lieutenant, and one sergeant. The balance of the committee will be made up of five (5) officers from various divisions.
- C. Terms of service will be for one year and will expire January 1 of each year.

701.07 Uniform Regulations

- A. The following regulations pertain to how the uniform is to be worn and are to be adhered to by all uniformed employees:
 - 1. All employees assigned to wear a uniform are to report for briefing or muster at the designated time in complete uniform as prescribed in the provisions of this order or as specified in their S.O.P.
 - No substitutions for issued uniform items are allowed unless specifically provided for in this directive.

702.00 UNIFORM REQUIREMENTS

702.01 Purpose

This policy defines the issued and authorized components of the uniform(s) to be worn by department employees.

702.02 Policy

Uniformed employees are to wear or be equipped with only those items issued or authorized by the department. Uniformed employees are not to wear the uniform or any part of it off duty, except while traveling to and from work or with the permission of their supervisor. Due to the unique nature of the duties, unless specifically stated in this policy, Animal Services personnel will follow uniform guidelines set forth in Animal Services Standard Operating Procedures.

702.03 Hats and Caps

- A. The hats and caps approved for wear with the police uniform are:
 - 1. Department issued round Midway five star uniform hat
 - 2. Department issued knit hat, or of a style and color equal to departmental issue
 - Department issued ball cap
- B. Hats and caps are worn level on the head as viewed from front to back, and with the front tip of the hat/cap brim level with the eyebrows as viewed from the side.
- C. Motorcycle helmets and other protective headgear required by position or assignment will be worn in accordance with manufacturer's and/or supervisor's guidelines.
- D. Officers below the rank of sergeant have a silver colored hat badge and strap.
- E. Sergeants and above have a gold colored hat badge and strap.
- F. All chief positions are designated by a regulation round Midway five star hat with military style gold embroidered brim.
- G. Officers have the option of wearing their uniform hat while in uniform, performing any function, while wearing the class A or B uniform.

Exceptions:

- 1. The uniform hat is required when attending a formal ceremony or official function designated by the chief of police.
- 2. The uniform hat is required when directed by a supervisor.
- H. The approved ball cap is black in color and has the department patch sewn on the front.
 - 1. The ball cap will be worn with the bill facing forward
 - 2. Officers and supervisors may wear the department approved ball cap during the daytime, when assigned to a post or position that would result in prolonged exposure to the sun.

- 3. Officers may wear the official departmental ball cap while in uniform when working outside at departmental approved secondary police service or on duty assignments when authorized to wear the bicycle uniform.
- 4. Ball caps will not be worn on routine calls for service.

702.04 Undershirts

A. Undershirts worn with the uniform shirt can be black, navy blue, or white.

702.05 Regular Duty Uniforms

A. Shirts

- 1. Only shirts issued by the department will be worn.
- 2. All buttons on the shirt shall be buttoned at all times (exception: collar buttons).
- 3. Sleeves shall not be rolled up or turned under on any uniform shirt.
- 4. During cold weather, uniformed employees may wear "dickies" or turtle neck shirts to cover the neck area. "Dickies" and turtle neck shirts may only be worn with a long sleeve shirt. "Dickies" and turtle neck shirts must be either navy blue or black in color, departmental issue or of a style equal to departmental issue.

B. Pants

- 1. Only uniform pants issued by the department will be worn.
- 2. Pants are to be no shorter than two inches above the top of the sole of the footwear at the heel, and no longer than the top of the heel when standing. (Exception: solo motorcycle officer pants)

C. Class A Dress/Ceremonial Uniform

- 1. Class A uniform will consist of the department issued class A uniform with a long sleeve shirt and tie, with metal buttons affixed to epaulet tabs and shirt pockets, metal nameplate, metal badge, and metal collar ornaments.
 - a. Exception- special details which employ the use of an ascot as a part of their uniform may wear the ascot in place of the tie.
- 2. Uniform pants worn will have the gold piping for police officers and black stripe for supervisors.
- 3. The class A uniform will be worn when attending any military or police funeral in uniform, when participating in any funeral ceremony (e.g. pall bearer, singer, eulogist, etc.), or when designated by a division commander or above for special occasion.
- Uniformed personnel are required to maintain and have available a class A uniform.

D. Class B Standard Uniform

 Class B uniform will consist of the dark blue long sleeved or short sleeved shirt with metal nameplate, metal badge, and metal collar ornaments; uniform pants of non-tactical or BDU style with discreet side pockets. 2. The external vest carrier is authorized with this uniform.

E. Class C Patrol Uniform

- 1. Class C uniform will consist of the dark blue long sleeved or short sleeved shirt with embroidered name and badge, uniform pants of non-tactical or BDU style with discreet side pockets.
- 2. The external vest carrier is authorized with this uniform and will have the name and badge embroidered on the carrier
- 3. Between May 1 and September 30, approved shorts may be worn with this uniform in compliance with the General Order pertaining to the Alternate Summer Uniform.

F. Class D Specialized Uniform

- Class D uniform will consist of the dark blue long sleeved or short sleeved uniform shirt with embroidered name and badge, uniform pants of tactical or BDU style with side pockets.
- 2. The external vest carrier is authorized with this uniform and will have the name and badge embroidered on the carrier
- 3. Class D uniform will be the standard duty uniform for officers assigned to Tactical (while performing tactical functions), Crime Scene, K-9, and detention officers.
 - a. Tactical uniform shirts will be adorned with subdued shoulder patches.

G. Class E Utility Uniform

1. Class E uniform will consist of the department issued "Polo" type shirt with embroidered name and badge, "Propper" or "5.11" type cargo pants in approved colors.

H. Executive Uniform

1. Executive uniform may be worn by captains and above at their discretion. The executive uniform consists of white dress shirt, dress coat with rank insignia worn on the epaulet, metal badge, name plate, and awards.

I. Civilian Employee Uniforms

- 1. Civilian employees assigned to positions requiring a uniform shall:
 - a. Possess a serviceable uniform and equipment to perform their assignment
 - b. Only wear footwear authorized in this order
 - c. Not wear the uniform or any part of the uniform for off duty activities unless authorized by their manager/commander.
- J. Any deviation from these uniform standards must be approved by the chief of police or designee.

702.06 Ties

A. Ties will only be worn with the class A uniform

- B. Approved tie clasp for uniform:
 - 1. Plain silver (or gold) chain or bar
 - City of Irving longevity service awards
 - 3. Miniature Irving Police Department patches or badges

702.07 Footwear

- A. Solid black, smooth grained leather or Corfam style shoe may be worn:
 - 1. Shoes are to have black stitching.
 - 2. Shoes are to have black leather or synthetic soles.
 - 3. Loafers, wingtips and sharp pointed shoes are not acceptable.
 - 4. Plain black socks will be worn with shoes.
- B. Optional black footwear such as black low quarter tactical or athletic style shoes made of leather or synthetic leather material (not cloth or canvas) may be worn for regular duty.
 - 1. There are to be no extreme or unusual designs.
 - Black socks will be worn.
 - 3. This type of shoe is prohibited when wearing the class A uniform, attending court, funerals, formal events or scheduled civic presentations.
 - 4. This type footwear is not subject to replacement due to damage.
- C. Tactical style boots of black smooth grain leather or a combination of leather and synthetic material may be worn. Black "Wellington" or "Roper" style boots may be worn. Pant cuffs must remain outside the boot tops.
 - 1. Buckles are prohibited.
 - 2. Zippers are allowed but must not be visible when standing.
 - 3. Sharp pointed boots are not acceptable.
- D. All footwear must be capable of being shined, polished, or cleaned and have a round or medium-round toe style.

702.08 Jackets, Coats, and Sweaters

- A. Only jackets or coats issued by the department will be worn.
- B. Officers may, at their own expense, have a jacket modified to fit around their duty weapon.
- C. Dress coats may be worn by captains, assistant chiefs, and the chief of police.
- D. Officers are authorized to purchase and wear a black V-neck "commando style" sweater, lined or unlined, with the uniform.

702.09 Insignia of Rank

- A. Uniformed officers below the rank of sergeant wear silver colored I.P.D. collar ornaments.
- B. Sergeants wear gold colored I.P.D. collar ornaments, and yellow cloth chevrons denoting rank will be worn on each shirt sleeve and jacket sleeve.
 - Acting sergeants wear silver chevrons on their collar in place of the I.P.D. collar ornaments.
- C. Lieutenants and above wear gold colored insignias denoting the proper rank on the uniform shirt collar. The rank insignia are to be worn on the shoulders of jackets and coats.
- D. Rank insignias are:
 - 1. Lieutenant one bar
 - 2. Captain two bars
 - 3. Assistant chief single star
 - 4. Chief two stars

702.10 Sleeve Patches and Service Stripes

- A. Only patches issued by the department are authorized.
- B. The Irving Police Department patch is worn on both shoulders of the uniform shirts, jackets, sweaters, and dress coats
- C. Officers, reserve officers, and detention officers may wear on the lower left sleeve of the long sleeve uniform shirt a service stripe denoting each four years of service.
 - 1. Officers' service stripes denote all service as a full-time, commissioned peace officer, as defined in Art. 2.12 Texas Code of Criminal Procedure or a comparable statute from another jurisdiction where the officer worked as a full-time, commissioned peace officer.
 - 2. Reserve officers' service stripes denote service <u>both</u> as a reserve officer and a full-time commissioned peace officer, if any.
 - 3. Service as a reserve officer or detention officer does not count toward service time for a regular, full-time commissioned officer.
 - 4. Service stripes for commissioned officers are yellow.
 - 5. Service stripes for detention officers are silver.
 - 6. Any commissioned officer or detention officer who resigns or retires from the department and is re-appointed to the same position they originally resigned or retired from will be allowed to wear service stripes that reflect total service.

702.11 Nameplates

A. Nameplates are issued by the department and are gold in color for supervisory ranks and silver in color for all other uniformed personnel.

- B. The nameplate will bear the employee's last name only. They may at their discretion have their first and/or middle initial precede their last name.
- C. References to rank and/or position will not be included on the nameplate.

702.12 Wet Weather Items

- Officers are issued a rain suit.
- B. Rain boots are optional and are non-issued item and must be black in color.

702.13 Awards

A. Employees who have received departmental awards may wear them above the right pocket of the uniform in accordance with the General Order pertaining to awards.

702.14 Special Assignment Items

- A. Items issued by the department to officers in specialized police positions are designated as special assignment items.
- B. Only items issued or approved by the department may be worn or carried by personnel.

702.15 Leather Goods

- A. The department issues:
 - 1. An outer duty belt
 - 2. Magazine carrier for handguns and AR-15 rifles (for personnel who are rifle qualified)
 - 3. One holster as approved for use by the training academy staff
 - 4. Plain handcuff case
 - 5. Collapsible baton holder
 - 6. Belt keepers unless Velcro is used
 - 7. Oleoresin capsicum holder
- B. In the event an officer does provide their own leather, it will consist of the aforementioned items and be in plain smooth black leather or Corfam. Leather and Corfam items will not be mixed and worn together.
- C. Shoulder holsters are a non-issue item but may be worn by plainclothes and tactical officers at the discretion of their commanding officer.
- D. All holsters must be approved by Training Academy staff prior to being issued or used on duty.
- E. Buckles and snaps are silver for police officers and gold for sergeants and above.

F. Knives carried on the duty belt must be carried in a black sheath. Fixed blade knives shall not have a blade longer than four (4) inches.

702.16 Regulation Weapons

- A. The regulation issued weapons of the department are the Glock 9mm, .357 sig, or .40 caliber semi-automatic pistols.
- B. A list of optional weapons approved for use by the department is maintained by the Training Sergeant.
- C. Regulation and optional duty weapons will comply with and be maintained according to all factory standards. Trigger pulls will not be altered.
- D. Officers are not authorized to carry an optional duty weapon until they have successfully completed the department's weapon qualification course with the type and action weapon they desire to carry.
- E. Specific training is required to change to or change from any of the authorized duty weapons. This includes changing calibers. If an officer changes from a 9mm caliber weapon to a .40 caliber weapon, the officer must first shoot a qualification course before the change can be made. The qualification score for any change will be an 80% or better overall score. It is necessary for all personnel making a change to coordinate through the Training Academy staff in order to be qualified for its use.
- F. Optional duty weapons and the necessary leather gear are the officer's responsibility. Holsters and ammo pouches must conform to department issued specifications.
- G. Stocks for handguns will be factory issued or will be made of quality rubber and will not be of unusual design or color. Grip adapters of rubber or metal may be attached to the weapon as long as they do not interfere with reloading or look unsightly. On Glock handguns, only the factory grips are allowed. However, the grip panels on the back strap may be changed on those models that have this capability.
- H. While on duty, weapons will be carried secured with the hammer in the forward or down position inside the holster.
- I. Personally owned shotguns and rifles approved by the department may be carried while on duty. (see Personnel/Training SOP 402.07)
- J. Weapons Lighting Systems
 - 1. Prior to carrying a handgun with an attached lighting system officers must:
 - a. Have their lighting system inspected and approved by a department armorer
 - b. Complete department's night fire course
 - 2. Weapons lighting system must meet the following specifications:
 - a. Lighting systems must allow ambidextrous functioning (i.e. one finger switching that allows for momentary on/off or constant on/off).
 - b. The light switching system must call for a rotation of the switch. Pistol grip switches or add-ons are prohibited.

- c. The light must attach directly to the handgun rails and must have the ability to be quickly attached / detached without placing the hand in front of the muzzle.
- d. The light system must be sealed, shock resistant, and waterproof.
- e. Handgun laser sights and any handgun lighting system that incorporates laser sights are prohibited.

702.17 Soft Body Armor

- A. Issuance of body armor
 - 1. All police and detention officers are issued body armor.
 - 2. Body armor may be replaced every five years as recommended by the manufacturer or as need dictates.
- B. Use of body armor
 - 1. All sworn employees, while in uniform (class A through D) both on duty and during secondary police service, will wear body armor unless inside a police facility.
 - 2. All detention officers will wear body armor when in uniform and on duty.

702.18 Exterior Body Armor

- A. The exterior body armor is authorized and provided by the department for use by sworn personnel when wearing their authorized duty uniform.
- B. Officers utilizing the exterior body armor may wear the issued "Polo" type shirt under the external carrier. The shirt will have their last name embroidered on the shirt in gold for supervisory ranks and silver for all other uniformed personnel.
- C. The following apply while wearing the exterior body armor:
 - 1. Wearing the exterior body armor does not absolve an employee from the requirements of the General Order pertaining to soft body armor.
 - 2. The exterior carrier is unacceptable for any formal occasion or when wearing the Class A uniform.
 - 3. Officers should have a standard body armor carrier available at work to respond to unexpected circumstances where the exterior body armor carrier would be prohibited.
- D. The following will apply while wearing external plate carriers:
 - External plate carriers will be worn in addition to, not in lieu of, soft body armor. Issued plates will conform to NIJ Level IV (Armor Piercing Rifle) standards. Removal of back plates is not authorized.
 - 2. Officers may don their external plate carriers whenever they feel that extra ballistic protection is warranted. Plate carriers will not be worn during routine police operations.
 - 3. External plate carriers will be issued to officers assigned to regular patrol shifts. External plate carriers may be issued to other specialized units at the division commander's discretion.

- 4. External plate carriers will be set up with a body worn camera mount that is located in such a manner that it does not interfere with deployment of a long gun. Officers will transition their BWC from their uniform to the external carrier, as they deploy, if time permits.
- 5. Officers are allowed to purchase their own external plate carrier systems as long as they conform to the following standards:
 - a. External plate carriers must be black and may have MOLLE attachment points stitched to the outer layer of the carrier.
 - b. External plate carriers will have front and rear Velcro attachment points that will accommodate a black identification strip with white letters that say "POLICE" in 2.25" lettering.
 - c. External plate carriers may have attached black rifle, shotgun, or pistol ammunition pouches.
 - d. External plate carriers may have medical pouches with a 2" square Red Cross patch attached.
 - e. Armor plates will conform to NIJ Level III or greater standards.
 - i. At their own expense, officers are allowed to purchase and attach to their carriers a 2x1" black blood-type patch that indicates their blood type in white lettering. Side plates may be added at the officer's own expense.
 - ii. Personalization of external plate carriers including "morale" type patches and pins is prohibited.
 - iii. External plate carriers will be carried and stored in a manner to prevent damage and to minimize the risk of theft.

702.19 Handcuffs

- A. The department will issue one set of handcuffs.
- B. Officers / detention officers may carry a second set of handcuffs as long as they conform to departmental standards.
- C. Flex type cuffs may be carried but should be used only in emergencies.
- D. Employees are not permitted to carry other types of non-issued restraining devices.

702.20 Oleoresin Capsicum Spray

- A. The department will issue oleoresin capsicum spray and the carrying holder for personnel that have been trained in its use.
- B. The initial request for issuance may be in a memo from the officer / detention officer's division commander stating the person(s) has received departmental training.

702.21 Rifle Magazine

- A. The department will issue an AR-15 magazine and magazine carrier for personnel that are rifle qualified.
- B. Qualified personnel may wear on the duty belt one AR-15 magazine in the department issued magazine carrier.

702.22 Reflective Traffic Vest

A. Only reflective traffic vests issued by the department or that meet current federal safety standards will be utilized by departmental personnel. Traffic vest will be worn by officers while they are directing traffic, investigating accidents, at any scene that causes them to conduct any business in a public roadway or at the direction of a supervisor.

702.23 Badges

- A. All sworn personnel will be issued one wallet badge and one uniform shirt badge.
- B. Officers may, at their own expense, pay an administrative fee to have an additional wallet badge and/or uniform shirt badge ordered for issuance through the property section.
 - All Irving police badges, including those secondary badges obtained by officers through the administrative fee process, remain the property of the police department and are subject to surrender upon order.
 - The property section will maintain an inventory record of secondary badges issued to officers.
 - 3. Officers are prohibited from purchasing additional badges by any means other than the approved ordering process through the Irving Police Department property section.
 - 4. Secondary badges that are lost or stolen must be reported in a Damaged or Lost Property incident in Blue Team.
 - 5. If an officer wishes to replace a lost secondary badge, an additional administrative fee will be required.
 - 6. The chief of police may award permanent ownership of all issued badges to an officer when he or she honorably retires or otherwise honorably separates from the police department.
- C. Badges for police officers are silver and badges for the rank of sergeant and above are gold.
- D. Unless wearing an approved uniform shirt with a cloth badge is authorized, sworn personnel will wear their uniform shirt badge when in uniform.

702.24 Issued Equipment

- A. Uniformed police officers when working on- duty or secondary police service will carry their department approved handgun, baton, oleoresin capsicum device, and soft body armor.
- B. Detention officers when on duty will carry their department approved oleoresin capsicum device.

- C. Officers, who have been certified to use a TASER, when working on-duty will carry the TASER if available.
 - 1. Uniformed police officers who are carrying a TASER are not required to carry a baton; however, their baton must be kept in a location where it will be readily accessible, and worn on the duty belt if the TASER is not available.
 - 2. Detention personnel carrying a TASER when working secondary employment will be in accordance with the jail standard operating procedures.
- D. On-duty plainclothes officers shall carry a departmentally approved baton or oleoresin capsicum device in addition to their department approved handgun.
 - 1. Officers will carry the baton or oleoresin capsicum device whenever they leave the building, housing their primary work space.
 - 2. This does not apply to officers working in an undercover assignment.
- E. A list of departmentally approved, firearms, collapsible batons, and TASERs will be maintained and posted by the Personnel and Training Section.

703.00 BICYCLE OFFICER UNIFORM

703.01 Purpose

This policy establishes the uniform guidelines for officers who are authorized and assigned to bicycle patrols within different divisions of the department.

703.02 Policy

The bicycle uniform is authorized for personnel in the performance of bicycle patrol duties holding the rank of police officer and sergeant only.

703.03 Procedures

- A. The uniform may be authorized for specific on-duty assignments when approved by a division commander.
- B. The bicycle officer uniform will be ordered and issued by the Property Room.
 - 1. White or black socks that extend no higher on the leg than the ankle are authorized. Black socks are to be worn by bicycle officers when wearing pants.
 - Approved footwear is the black low top athletic style shoes that conform to General Orders.
 - Headgear is limited to the optional department issued ball cap. Service hats are not to be worn.
- C. In addition to the items listed in General Order 703.3 (B), the following equipment is authorized for bicycle officers only. Due to various duty assignments and weather conditions, wearing the approved uniform components and combinations will be at the discretion of each individual bicycle officer unless specifically prohibited.
 - 1. Helmet
 - a. The helmet is an ANSI or Snell approved bicycle helmet. It will be white in color with "Police" in minimum of one-inch black letters on each side. The helmet will be worn any time the officer is riding the bicycle. No decals or decorative artwork is allowed without supervisor approval. A black or white helmet visor is optional.
 - 2. Eyewear
 - a. Protective eyewear is recommended but not mandatory.
 - 3. Gloves
 - Cycling gloves are optional and must be primarily black or navy blue in color.
- D. The department furnishes shoulder patches and the cloth badge for the uniform. Any item listed in General Order 703.03 (B) that is not issued to individuals authorized and assigned to bicycle patrols must be purchased by individuals at their own expense.

704.00 ALTERNATE SUMMER UNIFORM

704.01 Purpose

This policy provides an alternate uniform to be worn by officers performing patrol duties.

704.02 Policy

Officers performing patrol duties are authorized to wear the alternate summer uniform between May 1 and September 30.

704.03 Procedures

- A. This uniform is authorized for use on duty for personnel holding the rank of police officer who are performing patrol duties between May 1 and September 30 each year.
- B. This uniform is authorized for use at secondary police service events by personnel holding the rank of police officer or sergeant between May 1 and September 30 each year.
 - 1. The secondary police service job must include traffic direction or be an outdoor event, (e.g. July 4 parade/fireworks)
- C. The patrol summer uniform will consist of the following:
 - 1. Standard class C short sleeve uniform shirt
 - Uniform walking shorts made to department specifications hemmed at a length of 3" above the center of the officer's knee
 - 3. White or black socks that extend no higher on the leg than the ankle
 - 4. Black low quarter athletic shoes with black stitching
 - 5. Regular leather gear (no web gear)
- D. The following apply to the patrol summer uniform:
 - 1. There will be no ball caps worn on duty except as allowed by the General Order pertaining to hats and caps.
 - a. Off-duty headgear will be limited to the optional department issued ball cap in accordance with the General Order pertaining to hats and caps.
 - 2. There will be no jackets worn (excludes rain gear).
 - 3. The uniform is unacceptable for any formal occasion.
 - 4. The uniform is not to be worn to court.
 - Officers should have a standard class A or B uniform available at work to respond to unexpected court appearances or other circumstances where the alternate summer uniform would be prohibited.
 - 6. Officers who damage their shorts during the performance of duty are to be reimbursed in accordance with the General Order pertaining to the reimbursement of personal property.

705.00 PERSONAL APPEARANCE

705.01 Purpose

This policy regulates the appearance of employees that represent the department.

705.02 Policy

Employees project a professional image in order to promote improved citizen respect and confidence.

705.03 Guidelines

The following guidelines governing style and length of hair, sideburns, moustaches and beards are to be adhered to by all employees.

A. Male employees in uniform

- 1. Hair must be combed in an orderly manner. The length and/or bulk of the hair will not present a ragged, unkempt, or extreme appearance.
- 2. Hair will not extend past the mid-point of the ears or touch the collar except for the closely cut hair on the back of the neck.
- 3. Hair will not protrude over the top half of the ears, over the shirt collar, or bulge over or around the headband of properly worn headgear.
- 4. Wigs and/or toupees are acceptable if they appear natural and conform to the aforementioned hairstyle standards.
- 5. The bulk or length of the hair will not interfere with the proper wearing of standard issue headgear. Hair will not protrude onto the forehead below the band of properly worn headgear.
- 6. Sideburns will be neatly trimmed and will not extend downward below the lowest part of the earlobe. Sideburns will not be any wider at the bottom than their natural width at the top. The bottom of the sideburns will end in a horizontal line.
- 7. Moustaches will be neatly trimmed and will not extend below the upper lip line. Moustaches will not extend more than one-half inch beyond the corner of the mouth or more than one-quarter of an inch below the corner of the mouth. Beards are prohibited for sworn and detention personnel.
- B. Civilian employees, except detention personnel, may have a beard or goatee. Employees may not wear a beard or goatee without a mustache, and may not extend the length of the mustache without connecting it to a beard or goatee. Beards and goatees must remain neatly trimmed and may not be longer than one half inch in length.

C. Female employees in uniform

- 1. Hair must be groomed and kept in an orderly manner. The hair will not present a ragged, unkempt, or extreme appearance.
- 2. Hair may cover the ears and the length in the back may extend four (4) inches below the bottom of the uniform collar. Personnel having longer hair will wear their hair up to

conform to policy. Only the following approved hair bands and barrettes will be worn to restrain, not decorate, the hair.

- a. Dark navy blue or black hair bands
- b. Barrettes of a neutral color or gold or silver
- c. Bows, ribbons, and multi colored hair ornaments are prohibited
- 3. The bulk or length of the hair will not interfere with the proper wearing of standard issue headgear. Hair will not protrude onto the forehead below the band of properly worn headgear.
- 4. Hair will be styled so as to not be able to blow or fall across the employee's face or eyes.
- 5. Wigs are acceptable if they appear natural and conform to these hairstyle standards.
- 6. These restrictions apply only to sworn uniform personnel and detention officers.

D. Hair standards while wearing civilian attire

- 1. When wearing plainclothes while on duty or acting in the department's behalf, male officers will be required to follow hairstyle guidelines prescribed for uniformed officers.
- 2. When wearing plainclothes while on duty or acting in the department's behalf, female officers may wear their hair in a contemporary style. The hair will not present a ragged, unkempt, or extreme appearance.
- Hairstyles worn by personnel working undercover assignments will be at the discretion of the division commander. Exceptions are permitted only while the officer is on active undercover assignment.

E. Fingernails

- 1. Fingernails on all uniformed employees, sworn or civilian, will be kept clean, neatly trimmed and will not extend more than ¼ inch from the tip of the finger.
- 2. Fingernail polish, if worn, will be of a conservative shade without decals, ornamentation, advertisements, insignias or other decorations other than the polish and will not detract from the uniform appearance.
 - a. Male officers are prohibited from wearing fingernail polish.
- 3. Fluorescent, neon, or multi-color polish including blue, green, yellow, black, and purple are prohibited.
- 4. Uniformed and plain clothes officers will be required to adhere to the above guidelines whenever on duty or representing the department.

705.04 Jewelry for Sworn and Uniformed Civilian Personnel

- A. Employees may wear a wristwatch or bracelet on each arm. Rings may also be worn, but only one on each hand is permitted. (A wedding set is considered as one ring.) Necklaces visible when worn and other decorative jewelry are prohibited.
- B. Items used to hold the hair in place will be concealed as much as possible and will be of a color and style that blends with the hair. Decorative items such as ribbons will not be worn in the hair.

- C. Uniformed and non-uniformed female employees may wear two sets of conservative gold or silver, stud-type earrings, in each earlobe. The earrings will not contain any writing or symbols. They will not make reference to or be an advertisement for a product or brand name of a product. Male employees are prohibited from wearing earrings while in uniform or on duty.
- D. Officers working undercover assignments are exempted from the above jewelry policy and will follow the policy set by their division commanders.

705.05 Employees Attending Court

- A. Sworn employees attending court will be in a class A or B uniform or in civilian clothing which complies with standards set out in this policy.
- B. Detention officers may wear the class D uniform or civilian clothing which complies with standards set out in this policy.
- C. Animal Services officers attending court will wear the department issued uniform with the button down shirt with patches on the sleeves.
- D. All other civilian employees will wear civilian clothing which complies with standards set out in this policy.

705.06 Non-Uniform Apparel While On Duty

- A. No employee assigned to wear the uniform will report for duty in civilian clothing without the permission of their division commander.
- B. When authorized by their commander, employees assigned to duties involving frequent contact with the public, such as employees on investigative assignments and those performing office duties, will report for duty in conservative apparel appropriate to an office setting.
 - 1. Male employees will report for duty in a suit, or slacks and sport coat. Open collar (button front or "Polo" style) type shirts may be worn but must be professional in appearance without the name of a company and/or group insignia (except for the shirt's manufacturer).
 - 2. A tie must be worn by all male employees when attending court or conducting a public presentation or similar event.
 - 3. Female employees will wear dresses, skirts, slacks, or pantsuits. Open collar shirts must be professional in appearance without the name of a company and/or group insignia (except for the shirt's manufacturer).
 - 4. No deviation from these standards is permitted without the permission of the division commander.
 - 5. On-duty officers in civilian attire must be armed while away from a city-owned facility and should ensure that their police badge is prominently displayed if their duty weapon is exposed.

705.07 Non-uniformed Civilian Dress Code

- A. Non-uniformed civilian employees are expected to dress in a professional and appropriate manner so as to project a positive image and professional appearance.
- B. Non-uniformed civilian employees should refer to the visual guide in the appendix for specific guidelines on appropriate attire.
- C. Communications personnel should refer to Communications Standard Operating Procedures for dress code guidelines.
- D. Casual Dress Day
 - Friday is designated as the casual dress day for the department. Non-uniformed civilian employees are allowed to dress casually on this day. If a city holiday occurs on a Friday, employees may dress casually the day before the holiday or when authorized by the chief of police.
 - 2. Civilian employees should refer to the city policy on casual dress.

706.00 LOST, STOLEN, OR DAMAGED EQUIPMENT

706.01 Purpose

This policy identifies procedures when department issued equipment is lost, stolen, or damaged.

706.02 Policy

Employees will notify the department when city issued equipment is lost stolen or damaged.

706.03 Procedures

- A. An employee who has city equipment lost, stolen, or damaged will complete a Damaged or Lost Property incident in Blue Team and forward to their supervisor. An offense/incident report will also be initiated (for stolen items only). A copy of the offense/incident report will be attached to the Blue Team incident.
- B. The employee's supervisor is responsible for completing an investigation and documenting their results in the Blue Team incident that will be forwarded through the chain of command with the recommendation whether the employee should or should not be found negligent and whether or not the employee should make restitution.
- C. Employees who negligently lose or damage city property are subject to restitution and/or disciplinary action.
- D. The employee's division commander may recommend disciplinary action if negligence contributed to the loss/damage.
- E. The employee's bureau chief will decide if the employee was negligent and if restitution is to be made.
 - 1. The employee and the division commander shall be notified of the decision.
 - 2. If restitution is required, the division commander will notify the employee and ensure the property is replaced.
 - a. The employee will submit payment to the budget specialist.
 - b. Copies of the transaction shall be forwarded to the employee and the Property Room Supervisor.
- F. After restitution is made, the item(s) will be removed from the employee's inventory sheet.
- G. Any employee wishing to appeal a decision will submit a memorandum to the chief of police setting out the reasons the decision should be changed. The chief of police will notify the employee and the division commander of the decision.
- H. Issued items damaged, destroyed, lost, or stolen in the proper performance of duties shall be replaced at the expense of the city.

707.00 USE OF IPD UNIFORMS AND/OR EQUIPMENT BY PERSONS OTHER THAN IRVING OFFICERS

707.01 Purpose

A. This policy establishes a written policy regarding the use of department uniforms or equipment by persons other than members of the department.

707.02 Policy

- A. No department equipment or uniform may be lent or used by any person outside the department without prior approval of the City Council.
- B. The restriction in paragraph A above does not apply when the loan use is with another law enforcement agency or for a governmental function of another department of this city by the authorization of, and at the discretion of, the chief of police.

708.00 CUSTOMS AND COURTESIES OF THE SERVICE

708.01 Purpose

A. This policy informs officers of the decorum expected of them during formal events while in uniform.

708.02 Policy

A. Uniformed officers at formal events will adhere to the standard customs and courtesies of the service.

708.03 The Hand Salute

- A. The following persons will be saluted by officers in uniform:
 - The President of the United States
 - 2. The Governor of the State of Texas
- B. The hand salute will be given on the following occasions:
 - 1. Outdoors by officers in uniform, who are not in formation, whenever the national colors pass by or the national anthem of this or any other nation is played
 - 2. Outdoors by the officer in charge of any formation when the national colors pass by or the national anthem of this or any other nation is played
 - 3. Indoors when the officer is in uniform and is covered (has his/her hat on) and the national colors pass by or the national anthem is played
- C. General rules in regard to salutes:
 - 1. Salute on the first note of the national anthem and hold it until the music ends.
 - 2. Face the colors when saluting and if the colors are not present, face the music.
 - 3. Salute the national colors when they are approximately six paces away and drop the salute when they have passed six paces beyond where the officer is standing.
 - 4. Salute persons entitled to a salute when they are approximately six paces away and hold the salute until it is returned or the person has passed six paces beyond where the officer is standing.
 - 5. During a flag raising or lowering ceremony, hold the salute until the operation is complete.

708.04 Customs of the Service

- A. Officers will remove hats and hold over left side of chest during funeral procession while the hearse and family passes.
- B. Officers will hold their hand over the left side of their chest when the national colors pass by or the national anthem is played and they are indoors and not wearing a hat.

709.00 TATTOO/BODY ART

709.01 Purpose

This policy establishes guidelines for displaying tattoos and body art by employees while on or off duty in uniform or on duty in civilian attire.

709.02 Policy

Tattoos or brands that are prejudicial to good order are prohibited. Additionally, while on or off duty in uniform or on duty in civilian attire, employees are prohibited from exhibiting tattoos, body art, or brands that are offensive or demeaning to persons of ordinary sensibilities. This policy may be rescinded or modified at any time by the chief of police.

709.03 Definitions

Body modification: a deliberate altering of the human anatomy or human physical appearance

Brand: a picture, design, or other marking that is burned into the skin or other areas of the body. Body markings are pictures, designs or other markings as a result of using means other than burning to permanently scar or mark the skin.

Extremist: extremist tattoos or brands are those affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities. Extremist philosophies, organizations, and activities are those which advocate hatred or intolerance based on race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age or disability; advocate create, or engage in illegal discrimination based on race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age or disability; or advocate violence or other unlawful means of depriving individual rights under the U.S. Constitution, and Federal or State law.

Indecent: indecent tattoos or brands are those that depict nudity or are offensive to modesty, decency, propriety, or professionalism.

Political: relating to the symbols, causes, ideas or strategies of a particular party or group in politics, including special interest groups

Racist: racist tattoos or brands are those that advocate a philosophy that degrades or demeans a person or group of people based on race, ethnicity, or national origin.

Sexist: sexist tattoos or brands are those that advocate a philosophy that degrades or demeans a person or group of people based on gender.

Tattoo/body art: defined as a picture, design, or marking made on the skin or other areas of the body by staining it with an indelible dye, or by any other method including pictures designs or markings only detectible or visible under certain conditions (as in an ultraviolet light or invisible ink tattoo). The term tattoo and body art are interchangeable.

709.04 Tattoos/Body Art/Brands and Body Modifications Prohibited or Required to be Concealed

- A. The following tattoos, body art, and brands are prejudicial to good order and are prohibited for all employees, regardless of visibility:
 - 1. Extremist

- 2. Indecent
- Sexist
- 4. Racist
- B. Officers are prohibited from having tattoos on any part of the hands, neck, face, head, eyelids, mouth, and ears with the following exceptions:
 - 1. Tattoo of one wedding band on a ring finger
 - 2. Permanent facial make-up on the eyebrows, eyeliner, and lips that is conservative
- C. Any tattoo/body art or brand that implies a negative bias toward any group will cause the employee to be subject to disciplinary action, up to and including termination.
- D. The department reserves the right to require employees to conceal their tattoos/body art or brands if deemed necessary to comport with evolving community standards, attitudes, or beliefs. This policy and its exceptions do not grant permanent approval to display any tattoos/body art or brands subsequently deemed unacceptable for display and employees may be required to cover them at any time.
- E. The following tattoos/body art and brands must be concealed in accordance with this policy while in uniform, on or off duty or on duty in civilian attire:
 - 1. Symbols or markings likely to elicit a strong negative reaction in the workplace or public or that are inconsistent with the department's values or community relations objectives, including but not limited to symbols or markings that promote or are associated with violence or weaponry
 - 2. Anything contrary to the purpose of law enforcement, including, but not limited to: depictions symbolizing or indicative of alcohol or narcotics, illegal or gang related activity, or symbols suggestive of activity that undermines the purpose of law enforcement
 - 3. Illustrations, references, symbols, acronyms or the like that denigrate the United States, State of Texas, or the Irving Police Department
 - Symbols or markings that represent political beliefs, political parties, political slogans, or that cast any political group in a negative light
- F. Sworn and uniformed civilian employees may have pierced ears but body piercing of the face, head, neck, nose, mouth, and hands is prohibited. For all employees, piercing or alteration to any area of the body visible in any authorized uniform or civilian attire that is distracting, inconsistent with a professional appearance or noticeably distorts normal anatomical features and that is not medically required, nor a reasonable elective cosmetic surgery performed by a licensed physician, is prohibited. Such prohibited body alterations includes, but are not limited to:
 - 1. Tongue splitting or bifurcation
 - Complete or transdermal implantation of any objects other than hair replacement or other reasonable elective cosmetic surgery performed by a licensed physician
 - 3. Abnormal shaping of the ears, eyes, or nose
 - 4. Outlandish or unnatural contact lens colors or color variations that detract from a professional appearance

- 5. Gauging or gradually increasing the radius of a surgically induced opening in the flesh in areas such as the earlobes or lips
- 6. Abnormal filing or filling of the teeth
- 7. Dental jewelry or unnatural appearing covers such as "grills"
- 8. Extraocular implants
- G. Procedures medically necessary because of illness, deformity, or injury and performed by a licensed physician shall not be considered body modifications for the purpose of this policy.

709.05 Authorization for Visible Tattoos/Body Art

- A. Prospective employees
 - 1. Employment packages will include the information on all tattoos/body art of the applicant to ensure the applicant does not have any tattoos/body art that is prohibited by this policy.
 - 2. The Administrative Services Bureau Chief or chief of police will make the final determination as to whether an applicant's tattoos/body art comply with this policy.
- B. Tattoos that must be concealed under this policy must be kept entirely from view by the authorized uniform or plainclothes when an employee represents the department on duty or off duty.
- C. If when considering a new tattoo, an employee is in doubt about the tattoo/body art being in compliance with this policy, the employee should submit the design to the office of Professional Standards for approval.
 - 1. Any tattoo/body art that is believed to not conform to this policy should be brought to the attention of a supervisor. The supervisor will notify Professional Standards.
- D. The chief of police or designee shall make the final determination as to whether tattoos/body art conform to this policy.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

800.00 CODE OF CONDUCT

801.00 AUTHORITY AND PURPOSE

801.01 **Purpose**

This policy provides employees of this agency with guidelines that govern their conduct.

801.02 Policy

The Code of Conduct of the Irving Police Department is designed to promote efficiency, discipline, and good public relations by setting forth policies governing the conduct of all employees of the police department.

801.03 Code of Ethics

A. As officers of the Irving Police Department, we understand the importance of our image to the community, and each other, and hold in high esteem those ideals set forth in the International Association of Chiefs of Police Code of Ethics:

"As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality, and justice.

"I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

"I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

"I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession-law enforcement."

801.04 Authority

- A. The Code of Conduct of the Irving Police Department is promulgated by the chief of police by authority of the Code of Civil and Criminal Ordinances of the City of Irving, Section 29-4, the Civil Service Act, Chapter 143, Texas Local Government Code, and the Personnel Policies of the City of Irving.
- B. The department policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this order will form only the basis for departmental administration sanctions.

801.05 Scope

- A. The provisions of the Code of Conduct apply to and are to be observed by all employees of the police department, unless specified otherwise.
- B. Employees of the police department are to read and comply with the Code of Conduct, General Orders, Civil Service policies and regulations, City of Irving Personnel Policies and all other orders, policies, and directives issued by the department or the city.
- C. Violations of the Code of Conduct, the City of Irving Personnel Policies, the Civil Service Rules and Regulations, department policies, procedures, or orders, or any violation of the ordinances of the City of Irving, and/or laws of the State of Texas or the United States will subject the offender to disciplinary action.
 - 1. Disciplinary action may be in the form of a verbal or written reprimand, suspension, reduction in rank or position, or discharge from employment.
 - 2. All disciplinary action is based on the preponderance of the evidence and just cause, and is to be administered in accordance with the Civil Service Rules and Regulations as well as the Personnel Policies of the City of Irving.
- D. Supervisors will take corrective action whenever they learn of any violations of the department's policies, procedures, or rules.
 - 1. If the violation is criminal in nature, the supervisor may relieve the employee from duty, take custody of any credentials issued, take custody of any other items issued by the department (if warranted), and instruct the employee to report to the office of their division commander the following business day at any time specified.
 - 2. A memo is to be submitted to the chief of police by the supervisor.
- E. Employees in their probationary period may be discharged from employment by the chief of police without disciplinary action when they fail to meet minimum standards of employee performance or when they violate the Code of Conduct, City of Irving Personnel Policies, Civil Service Rules and Regulations, departmental policies, procedures, or orders or any violation of the ordinances of the City of Irving, and/or laws of the State of Texas or the United States. Civil Service employees in their probationary period have no right of appeal. The decision of the chief of police will be final in these cases. New officers who must attend a basic training academy necessary for initial certification by TCOLE will serve a probationary period of eighteen (18) months from date of appointment. New officers who are not required to attend a basic academy will serve a probationary period of twelve (12) months. General Government Employees serve a probationary period of six (6) months and may be discharged pursuant to the Personnel Policies of the City of Irving.

801.06 Attempts and Conspiracy

A. Any employee who, by act or conduct, attempts to violate or conspires with any person to violate the City of Irving Personnel Policies for Civil Service employees, the Civil Service Rules and Regulations, departmental policies, procedures, or orders, or any attempted violation of the ordinances of the City of Irving, and/or laws of the State of Texas or the United States will be subject to the same discipline as though the actual violation had been accomplished.

802.00 LATE FOR WORK

802.01 **Purpose**

This policy provides employees of this agency with guidelines for reporting to work when scheduled.

802.02 Policy

Employees will report for duty at their scheduled time and place, and be prepared to commence their work day.

802.03 Duty Hours

A. Employees are assigned to work and are compensated for either a forty (40) or eighty (80) hour work period. They will report for duty at the scheduled time and place in the proper attire.

802.04 Late for Work

- A. Employees who fail to report for duty at their scheduled time, place, and/or not properly attired for duty will be considered to be late for work.
 - 1. Scheduled time includes training that is scheduled by the department.
- B. Employees will not receive compensation for time they have not worked.
- C. Failure to compensate an employee for time missed will not be construed as disciplinary action.
- D. Supervisors may recommend discipline in addition to non-compensation for time missed.

802.05 Supervisors' Responsibility

- A. Supervisors will monitor their subordinates and take appropriate corrective action based upon the subordinate's reason for lateness and the number of previous occurrences.
- B. Supervisors will have the discretion to not compensate a subordinate for actual time missed within the first fifteen (15) minutes of lateness. (See General Order pertaining to Away without Pay, Benefits Accrue for procedure.)
- C. Loss of pay is mandatory for actual time missed after the first fifteen (15) minutes of lateness.

802.06 Employees' Responsibility

- A. Reporting to work on time and in the proper attire
- B. Questioning the immediate supervisor if unsure of duty time or attire
- C. Knowing their required reporting time in advance

803.00 CIVIL, CRIMINAL, JUDICIAL, AND INVESTIGATIVE ACTIONS

803.01 **Purpose**

This policy provides employees with guidelines governing investigative actions.

803.02 Policy

Employees will conduct themselves professionally and in accordance with all laws and policies when involved in matters involving civil, criminal, judicial and investigative actions.

803.03 Procedures

- A. Employees must be present and available to testify in any court or grand jury when officially notified to appear. In criminal cases outside of Dallas County and in all civil cases, employees will respond to a subpoena only.
- B. Employees that are unable to answer an official notification must be excused by the court or grand jury prior to the scheduled appearance date. Such excused absence must be obtained by reporting the reason in accordance with the employee's division Standard Operating Procedure.
- C. Employees are to notify their supervisor if court attendance or judicial proceedings necessitate their being absent from duty.
- D. Employees are not to remove, destroy, alter, or cause the removal or destruction or alteration of any report, document, record, or evidence without authorization.
- E. Employees are to notify the chief of police in writing whenever they file or have been filed against in a civil suit involving any matter related to their employment with the police department.
- F. Employees are to notify their supervisor in writing whenever they are subpoenaed or volunteer to testify for the defense in any criminal or civil trial or hearing or against the city or department in any hearing or trial upon receipt of the subpoena or of their intention to testify prior to their appearance as a witness.

804.00 PROFESSIONAL CONDUCT AND PERSONAL BEARING

804.01 **Purpose**

This policy establishes required standards of conduct for agency employees.

804.02 Policy

Employees will conduct themselves professionally and portray themselves in a positive manner.

804.03 Required Standards of Conduct

- A. The following standards are to be adhered to:
 - 1. It is the duty of all officers within the City of Irving to preserve the public peace and to protect life and property.
 - Officers are to carry their badges and identification credentials on-duty. Officers on special assignment may be exempted from this requirement with division commander approval.
 - 3. With the exceptions listed, when an officer is off-duty, he or she may be armed with a departmentally approved weapon. If armed, the officer must be currently qualified with that weapon as set forth in the General Order pertaining to Firearms Training and Qualification.

Exceptions - An officer must be armed with a department approved weapon when:

- a. In uniform
- b. In a city vehicle
- c. Performing police related secondary police service employment
- 4. On duty officers in civilian attire whose duty weapon is exposed, will have their police badge prominently displayed so as to be readily identifiable as a police officer.
- 5. Employees on suspension are to surrender their badge and/or identification credentials, and any other city owned property as requested by Professional Standards.
- 6. Employees that are relieved of duty by a supervisor will surrender their badge and/or identification credentials, and any other city owned property as requested, to the supervisor upon the supervisor's order to do so.
- Officers must have prior approval from their division commander before initiating undercover investigation. Plain-clothes operations may be approved by a lieutenant or above.
- 8. Uniformed employees are to report for duty in the proper uniform and carry equipment as prescribed by departmental policies and directives.
- 9. Uniforms are to be clean, pressed, and not noticeably patched, torn, or worn. Footwear, leather goods, and metal equipment will be well polished.

- 10. Employees are to conduct themselves at all times, both on and off-duty, in such a manner as to reflect favorably on the department. Additionally, conduct unbecoming an officer will include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department.
- 11. Employees are to have a telephone where they may be reached and will report in writing to their supervisor within 24 hours any changes of telephone numbers or residence addresses.
- 12. Employees working hours are regulated by the chief of police, who has the authority to call any employee to return to duty.
- 13. Employees unable to report for duty are to notify their supervisor or watch commander at least one hour prior to their reporting time and will advise the supervisor where they can be contacted.
- 14. Employees are required to report to work as scheduled including assigned training, and work their full shift.
- 15. Employees are to devote their time and attention while on duty to the business of the police department.
- 16. Employees are not to willfully misrepresent any matter, sign or give any false statement or report, commit perjury or give false testimony before any court, grand jury, board, commission, official hearing, or departmental hearing or investigation.
- 17. Employees shall be truthful at all times and make full disclosure of all relevant and material information when responding to supervisors, other department employees, outside agencies, or city employees. Employees will not knowingly make any false statement. Any knowing omission of pertinent or material information which misrepresents facts or misleads others will be considered a false statement.

804.04 Prohibited Conduct

- A. The following conduct is prohibited:
 - 1. Officers are not to make any arrest, search, or seizure which they know or should know is not in accordance with law and/or departmental policy.
 - 2. Officers are not to undertake any investigation or other official action which is not part of their regular duties without obtaining approval of their supervisor unless immediate police action is required to protect life or property.
 - 3. Whenever there is a possible risk of compromising an undercover investigation, employees should not acknowledge or address an officer attired in civilian clothes unless that officer initiates communication.
 - 4. Uniformed personnel are not to report for duty in civilian clothes without prior approval from a lieutenant or above.
 - 5. Uniformed personnel are not to wear unauthorized items on the uniform.
 - 6. Uniformed employees are not to carry an umbrella while performing any job function.
 - 7. Employees are not to interfere with cases being handled by officers of the department or by any other governmental agency unless:

- a. Ordered to intervene by superior or;
- b. An injustice would result from failure to take immediate action.
- 8. Employees are not to engage in any of the following:
 - a. Interfering with the service of lawful process
 - b. Interfering with the attendance or testimony of witnesses
 - c. Attempting to have any notice to appear or traffic citation reduced, voided, or stricken from the calendar without approval of their division commander
 - d. Recommending a dismissal, reduction of charges, or other disposition of a pending criminal case except by written approval of their division commander
 - e. Taking any action which interferes with the efficiency or integrity of the department or having knowledge of such interference and fails to inform a superior
- 9. Employees are not to become personally involved in any criminal investigation concerning themselves or any member of their family. The employee will report the offense to the proper authority for investigation.
- Officers are not to make arrests in their own disputes or disputes involving family members except under grave circumstances which would justify them in using measures of self-defense.
- 11. Uniformed employees are not to wear the uniform or any part of it off-duty, except while performing authorized secondary police service, while traveling to and from work or with the permission of their supervisor.
- 12. Employees are not to use another employee's badge or police credentials, nor will they permit their badge or police credentials to be used by another.
- 13. Smoking, smokeless tobacco, or use of electronic cigarettes is prohibited in city vehicles or within view of the public.
- 14. Employees are not to borrow money or accept gifts or favors from any known or suspected violator of the law.
- 15. Employees are not to recommend professional services or businesses to persons contacted in the line of duty.
- 16. Employees are not to solicit special privileges nor use their position for personal gain or advantage, or for the advantage of others.
- 17. Employees are not to endorse any product or service nor provide any commercial testimony when such endorsement or testimony alludes to their position or employment with the police department.
- 18. Employees are not to use departmental material or resources for personal gain or advantage.
- 19. Employees are not to use the City of Irving address to receive personal mail or for personal use.

- 20. Employees are not to knowingly enter or frequent a house of prostitution, gambling house, or establishment where the laws of the United States, the state, or local jurisdiction are being violated except for the purpose of official police business.
- 21. Employees are not to engage in disruptive "horse play" or the playing of pranks on duty.
- 22. Employees are not to publicly criticize or ridicule the department, its policies or other employees by speech, writing, or other expression, when such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the efficiency of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- 23. Supervisors are not to place themselves under financial obligation to a subordinate.
- 24. Employees are not to use or handle weapons in a careless or imprudent manner.
- 25. Officers are not to hold a deputation or commission from any other law enforcement agency.
- 26. Employees are not to wear a departmental uniform while on suspension. Further, officers are advised that while on suspension their possession of a firearm is restricted to that of any other citizen.
- 27. No expenditure of money is to be made or liability incurred, in the name of the City of Irving, or the Irving Police Department, unless authorized by the chief of police.
- 28. No employee shall establish an inappropriate social relationship with a known victim, witness, suspect, or defendant in a case investigated by the department, while such case is being investigated or prosecuted as a result of such investigation.
- 29. Officers are not to render aid or assistance in civil cases, except to prevent an immediate breach of the peace or to quell an existing disturbance.

804.05 Dereliction of Duty

The following constitutes dereliction of duty and are cause for disciplinary action:

- A. Failure to obey orders promptly or willful disobedience of orders or repeated violation of any policy, procedure, or rule of the department
- B. Failure to make a prompt and proper report of offense/incident investigated, observed or reported
- C. Failure to deliver to the Property Section any property found by, confiscated by, or relinquished to, employees of this department without undue delay and in any event before the tour of duty is ended
- D. Sleeping while on duty or sleeping while performing secondary police service employment
- E. Violation of any federal law or state law, city ordinance, rule, regulation, or policy of the city government or the Civil Service
- F. Failure to provide name and identification number to any person upon request
- G. Being absent without leave (Absence without leave means either a failure to report for duty at the proper time and place or leaving a place of duty without proper authorization.)

- H. Using or being under the influence of intoxicants on-duty or off-duty when performing any secondary police service employment or wearing a departmental uniform
- I. Using or being under the influence of a controlled substance or any drug when not properly prescribed, or being under the influence of a properly prescribed medication when it would affect their judgment or physical condition while on-duty or performing any secondary police service
- J. Using unnecessary force against or harassment of any person
- K. Showing disrespect or discourtesy towards any person
- L. Using indecent, profane, or harsh language in the performance of official duties or in a public place.
- M. Accepting, agreeing to accept, or soliciting a bribe (A bribe under this rule is defined as a gift, sexual favor, money, or thing of value, testimonial, appointment, personal advantage, or the promise or solicitation of either, bestowed or promised for the purpose of obtaining special privileges or personal gain by the donor or other person.)
- N. Exhibiting cowardice or failure to perform police duties because of danger
- O. Failure to seek information from a supervisor or senior employee when in doubt as to the nature of police duties
- P. Failure to properly disclose information or evidence, for or against any person, concerning a criminal or administrative matter
- Q. Failure to answer or respond to a dispatched call and take necessary action
- R. For acts of incompetence
- S. For neglect of duty
- T. For conduct prejudicial to good order
- U. For improper or negligent handling or willful damage of city property
- V. Using any language that would deride or condemn any individual's race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age, or disability.

805.00 PROTECTION OF PERSONS, THEIR RIGHTS, AND THEIR PROPERTY

805.01 **Purpose**

This policy notifies employees of our duty to protect people their rights and their property.

805.02 Policy

The Irving Police Department and its employees provide services to the citizens of Irving that include the protection of citizens, their rights, and their property and specifically prohibit discrimination, oppression and favoritism.

805.03 Procedures

A. Persons

- 1. Officers are to protect the rights of all persons.
- Officers are not to falsely arrest, imprison, or direct any malicious prosecution against any person.
- 3. Employees are not to use verbal abuse, excessive force, unnecessary violence, or willfully mistreat any person.
- 4. Employees who negligently lose or damage property belonging to another may be required to make restitution.
- 5. Employees are not to discriminate against any individual on the basis of their race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age, or disability.

B. Persons in Custody/Suspects

In addition to the above standards, the following standards regarding persons in custody and suspects will be adhered to:

- 1. Prisoners are not to be taken to any location other than the police station unless prior approval of a supervisor is obtained. Prisoners will be taken to the police station without delay.
- 2. Employees are not to place weapons or objects adaptable for use as weapons or permit such items to remain unattended in any location normally accessible to a prisoner or suspect.
- 3. Employees are not to enter any weapons restricted area of the jail or any other area designated as a weapons restricted area with any weapon or objects adaptable for use as weapons. Restricted area entrances will have signs posted prohibiting weapons.
 - Irving Police Officers and Detention Officers trained and issued Oleoresin-Capsicum and a TASER may carry these weapons into the secured areas of the Irving Jail.

806.00 BIAS FREE POLICING

806.01 **Purpose**

This policy provides employees with guidelines promoting Bias Free Policing.

806.02 Policy

The employees of this agency will treat citizens with dignity, courtesy, compassion, fairness, and impartiality.

806.03 Definition

Biased Policing: A law enforcement initiated action based on an individual's race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age, or disability rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

806.04 Procedures

- A. It is the policy of the Irving Police Department to treat citizens with dignity, courtesy, compassion, fairness, and impartiality. Toward this end Biased Policing is strictly prohibited in all areas including but not limited to traffic contacts, field contacts, searches and investigative detentions.
- B. Officers shall not use race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age, or disability except to determine whether a person matches a specific description of a specific suspect.
- C. Any person may file a complaint with any supervisor or the Professional Standards Section if they feel they have been stopped or searched based on an officer's bias.
- D. Officers that stop a motor vehicle for a violation of law or ordinance shall gather data required by the Texas Code of Criminal Procedure, Article 2.133 (b)(1-9). This data will be provided to the City Council and the Texas Commission on Law Enforcement on by March 1st for the previous calendar year.
- E. The Irving Police Department shall provide public education relating to the department's complaint process. (e.g. via the department's web site, I.C.T.N., P.I.O. etc.).
- F. The Irving Police Department shall train all new officers in bias free policing during recruit inservice training. All other officers will receive training on the subject during normal training cycles and/or through other training modules mandated by the department.

806.05 Supervisor Responsibility

- A. Review at least three random body worn camera videos each quarter, per officer assigned to them to ensure officers' actions are consistent with this policy.
- B. Thoroughly investigate any complaints of Biased Policing.
- C. Provide to an officer who is the subject of a Biased Policing complaint, upon request of the officer, an audio and/or video copy of the incident if in existence.
- D. Take immediate and appropriate action when observing or being made aware of Biased Policing.

807.00 REWARDS, GIFTS, FEES

807.01 **Purpose**

This policy provides guidelines for the acceptance of rewards, gifts and fees.

807.02 Policy

The acceptance of rewards, gifts, and fees will be governed by this General Order.

807.03 Procedures

- A. An employee will not use their position, badge, or uniform to solicit or accept gifts or gratuities that could, in the public mind, be interpreted as capable of influencing his or her judgment in the discharge of their duties or that would reflect favoritism by the employee or department toward any particular person, group, or business. This policy does not prohibit:
 - Unsolicited discounts or services offered to all officers or employees if the employee does not profit by reselling the item or offering the service to another
 - 2. Acceptance of awards, including money, given to an employee by a publicly recognized organization in recognition of outstanding service or achievement
 - Acceptance by an employee of money or gifts on behalf of the department with the approval of the chief of police. Such items accepted will be of benefit to the department as a whole or for some worthy cause that is sponsored in whole or part by the department
- B. Any reward paid or sent to any employee will be turned in to the Office of the Chief of Police and will be deposited into a fund in which departmental employees derive benefit.
- C. Employees are not to accept a fee as a witness in any case arising under the criminal laws of the State of Texas or under the ordinances or regulations of the City of Irving and prosecuted in Dallas County.
 - 1. Should an employee receive payment for their appearance for a case in which they are also being paid for their appearance by the City of Irving, that payment will be submitted to the budget specialist for deposit.
- D. Employees are not to purchase, offer to purchase, or accept as a gift the property of another after such property has been released from custody of the police department or released from the custody of any employee of the department.
- E. Supervisors are prohibited from accepting gifts from employees. Exceptions may be approved by the chief of police for retirements, honorariums, and similar activities.

808.00 PUBLIC AND POLITICAL ACTIVITIES

808.01 **Purpose**

This policy identifies public and political activities that employees are prohibited from being involved in.

808.02 Policy

Employees involved in public and/or political activities will follow the guidelines set forth in the General Orders.

808.03 Procedures

A. Prohibited Public Activities

- Employees are not to belong to or associate with any extremist organization, association, movement, group, or combination of persons. Extremist organizations and activities are those which advocate hatred or intolerance based on race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age or disability; advocate create, or engage in illegal discrimination based on race, ethnicity, national origin, gender, sexual orientation, gender identity, religion, economic status, age or disability; or advocate violence or other unlawful means of depriving individual rights under the U.S. Constitution, and Federal or State law.
- 2. Employees are not to participate in a disruptive demonstration.

B. Political Activities

- 1. Employees are required to resign their position with the city prior to becoming a candidate for nomination or election to the Irving City Council.
- 2. Employees are not permitted to take an active part in any political campaign of another for an elective position in the city if they are in uniform or on active duty. The term "active part" means making political speeches, passing out cards or other political literature, writing letters, signing petitions, actively and openly soliciting votes and making public derogatory remarks about candidates for such elective positions.

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

FORMS



MEMO

To: {Name, Job Title}

From: {Name, Job Title}

Date: { }

Subject: { }

{Body of Memo}



EMERGENCY CONTACT INFORMATION

Form 400 004 - October 2019

Date:		
*After filling out this form, add your digital signature at	the bottom then email to your supervisor and to	kmaynard@cityofirving.org
Employee Information		
Full Name:		
Address:	City:	Zip:
Primary Phone:	Secondary Phone:	· -
Drimany Contacts		
Primary Contacts (who should be notified first in case		
Full Name:	Relationship:	7in:
Same Address:		
Primary Phone: Employed: Yes No Employer:		
		Zip:
Address:		
Full Name:		
Same Address:		
Primary Phone:		
Employed: Yes No Employer:		
Address:	City:	Zip:
Work Phone:	Boss's Phone:	
Additional Contacts (List any additional family members)	pers, friends or religious contacts that should be notified	in case of emergency)
Full Name:	Relationship:	
Primary Phone:		
Notes:		
Full Name:		
Primary Phone:		
Notes:		
Full Name:	Relationship:	
Primary Phone:		
Notes:	<u> </u>	

Children Female Male DOB: Full Name: Same Address: City: Zip: Primary Phone: Secondary Phone: School Employer City: _____ Zip: ____ Address: Other: Phone: Female Male DOB: Full Name: Same Address: ____ City: _____ Zip: ____ Secondary Phone: Primary Phone: School Employer Address: City: Zip: Phone: Other: Full Name: Same Address: City: Zip: Secondary Phone: Primary Phone: School Employer City: _____ Address: Zip: Phone: Other: ☐ Female ☐ Male DOB: Full Name: Same Address: City: Zip: Secondary Phone: Primary Phone: School Employer Zip: Address: City: Other: Phone: Full Name: City: Same Address: Zip: _____ Secondary Phone: Primary Phone: School Employer Address: _____ City: _____ Zip: Phone: Other: Liaison or Other Information (If possible and expedient, the Department will ask the person of your choice to provide aid and comfort to your family in the event of your serious injury or death. List in order of preference, whom from the department you would select to serve in this capacity. You may also list any other information that you think is pertinent.)



LETTER OF COUNSELING

		Form 400.015 – November 2018
Date Filed:	Date of Original Complaint:	IA Control #:
	Affidavit Attached Not	
		Rank/Title:
Complainant		
Last ID #:	First Division/Section:	Middle
Complainant Signature:		Date:
Incident See attached N	otice of Investigation	
Date:	Time:	IPD Report #:
Location:		
Alleged Policy or Procedure Employee	e Violation(s):	
Employee		
Last ID #:	First Division/Section:	Middle
		on Commander:
Employee Signature:	Signature acknowledges receipt of Letter of Counselir	Date:

Sustained	☐ Not Sustained	Unfounded	Exonerated	
Recommendation	:			
Investigating Superv	visor Signature:		Date:	
Actions				
Sustained	Reversed	Modified		
Notes:				
Section Commande	r Signature:		Date:	
Sustained	Reversed	Modified		
Notes:				
L				
Division Commande	or Signaturo		Date:	



NOTICE OF DISCIPLINARY ACTION

		Form	400.008 – November 2018
Date Filed:	Date of Original Complaint:	IA Contro	ol #:
		Notice of Investigation Attach	
Reported to:	ID) #: Rank/Title:	
Complainant			
Last			Middle
ID #:	Division/Section:		
Complainant Signature:		Date:	
Incident See attached No	tice of Investigation		
Date:	Time:	IPD Repor	t #:
Location:			
Narrative: (include details of inciden	t, including witnesses)	Separate page attached wi	th additional information
Alleged Policy or Procedure	Violation(s):		
Employee			
Last	, First		Middle
ID #:	Division/Section:		
Division Commander:		Section Commander:	
Employee Signature:		Date:	

Signature acknowledges receipt of Notice of Disciplinary Action

Sustained	☐ Not Sustained	Unfounded	☐ Exonerated
Recommendation:			
estigating Supervis	or Signature:		Date:
Actions			
Sustained	Reversed	Modified	
Notes:			
ction Commander S			Date:
Sustained	Reversed	Modified	
Notes:			
,			

Sustained	Reversed	Modified		
Notes:				
			_	
Bureau Chief Signatu	re:		Date:	
Sustained	Reversed	Modified		
Notes:				
Chief of Police Signat	ure:		Date:	



NOTICE OF INVESTIGATION

				Form 40	0.011 – November 2018
Date Filed:	Time Filed:		IA Control #:		# :
Reported by: by:					Citation Issued
Reported to:		ID #:	Rank/	/Title:	
Complainant Affida	avit Attached				
	,				
Last Residence Address		First	Phone:		⁄liddle -
					-
			1 110116.	1 /	
Complainant Signature:				Date: _	
Incident					
Date:	Time:		IPI	O Report #	# :
Location:					
Narrative: (include details of incident	, including witnesses)		Separate page att	ached with	additional information
Alleged Policy or Procedure V	'iolation(s):				

ID #: Division/Section Section Commander: In accordance with Chapter 614, Texas Government Code acknowledge that I received a copy of this complaint from		
In accordance with Chapter 614, Texas Government Code	Division Co	
		ommander:
	and/or Irving Poli	ice Department Disciplinary Policy, I
deline medge that i received a copy of this complaint from		
on this day of	, 20	_ , at hours.
Employee Signature:		
Supervisor Signature:		_
Recommendation		
☐ Sustained Complaint (See attached Notice of Disci ☐ Letter of Counseling Attached ☐ Not Sustained (See attached documents)	iplinary Action)	Sustained Counseling Unfounded Exonerated
Recommendation/Comments:		
vestigating Supervisor Signature:		Date:



MEMO

To:

From:

Date:

Subject:

On [Date] at [Time], Irving Police Department Administration, I was ordered to give this statement by [Rank, Name, Badge Number]. I give this statement at his order as a condition of employment. I understand that I may face disciplinary action for disobeying this order so I have no alternative but to abide by the order.

It is my belief and understanding that the Department requires this statement. It is my further belief that this statement cannot be used against me in any criminal prosecution.

For any and all other purposes, I hereby reserve my rights as provided by the United States Constitution and any other rights prescribed by law. Further, I rely specifically upon the protection afforded me under Garrity vs New Jersey 285 U.S. 439 (1967).



PASSENGER RELEASE AGREEMENT

Form 400.007 - Feb. 2018

STATE OF TEXAS

COUNTY OF DALLAS

I. BACKGROUND

Certain personnel of the Irving Police Department must be able to rapidly respond directly to events or incidents with specialized equipment necessary for their duties. Accordingly, those personnel may be assigned a City-owned Department vehicle containing the required equipment. During off-duty hours, the use of the City-owned vehicles may include transport of passengers who are not Department or City of Irving employees so that police personnel are able to engage in normal off-duty activities while still maintaining a level of readiness required by the Department. In consideration of the privilege and convenience afforded by the ability to be transported in a Department vehicle, non-Department passengers agree to execute this **Passenger Release Agreement** to relieve the City of Irving, its employees and agents from liability for any injuries or damages suffered by the passenger while being transported in the Department vehicle. The executing party agrees as follows:

That I, _______, hereinafter the "Undersigned," in consideration of the City allowing me to ride as a passenger in a vehicle assigned to _______ by the Department do hereby fully and completely release any and all future claims, debts, demands, actions, causes of actions, lawsuits, claims for sums of money, claims for attorneys' fees and court costs, claims for personal injury damages, claims for property damages, claims under common law, claims for negligence, claims for negligent entrustment, claims under any state or federal statue, claims under the Constitution or laws of the United States or the State of Texas, and any and all other demands or claims of any nature whatsoever, at law or in equity, statutory or otherwise, that I may hereinafter assert against the City of Irving, as well as its employees, council members, representatives, insurers, attorneys, and all other persons, firms, organizations, or corporations in privity therewith, whether

named herein or not (hereinafter the "Released Parties") growi	ng, or arising out of or in any way related
to, any injuries or damages sustained by the Undersigned as a	result of the use or operation of any City
of Irving vehicle assigned to w	hile a passenger in said vehicle.
Witness my hand this the day of	, 20
	Passenger
	Parent (if passenger is a minor)
STATE OF TEXAS	
COUNTY OF DALLAS	
BEFORE ME, the undersigned authority, on this day personally a	appeared
known to me to be the person whose name is subscribed to the	foregoing instrument, and acknowledged to me
that he/she fully understands it to be a complete release of all	claims as described therein, and that he/she
executed the same for the purposes and consideration therein	expressed.
Given under my hand and seal of office this the day of	, 20
	Notary Public In and For
	The State of Texas
My Commission Expires:	



PHOTOGRAPHIC LINE-UP ADMONITION

Form 400.013 - September 2018

Report #	
You are about to view a line-up. The photographs in the line-up will be presented individual who committed the criminal offense may or may not be photographs. While looking at the photographs remember that the individuals at they did on the date of the crime. Their hairstyles, facial hair, clothing, etc. do not recognize any of the individuals after viewing the entire sequence, in do recognize someone in the sequence, tell the investigator why.	e present in this series of uals may not appear exactly c., may have changed. If you
I have read or been advised of the above set of instructions and I full	y understand them.
Signature of person viewing the photo line-up Date	Time
Print Name	
*** For Law Enforcement Use Only ***	
Identification results:	
Positive ID Positive ID Tentative II of suspect of Suspect	No ID made
Position #:	
Line-up Identification #:	
Location where line-up was presented:	
Investigator showing the line-up:	Badge:
Witness comments:	
Withess comments.	



REQUEST FOR SECONDARY POLICE SERVICE/ OFF-DUTY EMPLOYMENT

Form 400.018 - December 2018 Date of Request: Employee: _____ ID #: ____ Division: ____ Patrol Shift _____ Supervisor: Secondary Police Service or Off-duty Employment Non-uniform: Yes, Division Commander approving: _____ Business Name: Business Address: Contact Person: Phone: If other, describe duties: Service Type: Number of Officers Working: Number of People Expected: Police Coordinator: Phone: Average Number of Days Worked Per Week: Average Hours Worked Per Week: Frequency: Alternate: _____ Job Effective Date: Job Termination Date: I have read and understand the rules, regulations, Special and General Orders of the Department and of the Civil Service Commission, and agree to abide by the same. I agree that I will conduct myself in a manner that will not bring myself or the Department into disrepute, and I will take no action pursuant to this employment, in exercising a police function, that is not authorized by law and the policies and orders of the Department for such function. I will not use my position as an officer in civil matters or for private assistance to myself or anyone and will avoid all conflicts and appearances of conflicts with my employment as a Police Officer.

Employee Signature



SHIFT EXCHANGE REQUEST Form 400.009 - March 2018 We. are requesting a Employee #1 shift exchange. **Shift Exchange Dates:** will work Employee #1 Shift Assignment 1. from Employee #2 Shift Assignment 2. from Time (am/pm or military) Time (am/pm or military)

NOTICE

Hours worked by the substituting employee are excluded from the calculation of overtime compensation or compensatory time; when an employee substitutes for another employee, each employee will be credited as if he or she had worked his or her normal scheduled shift.

In the event an employee fulfilling the shift exchange is unable to work due to illness or unforeseen circumstance, they will make every effort to ensure the coverage is fulfilled. An employee's failure to work the time agreed to may result in the loss of their privilege to participate in subsequent shift exchanges. In the event that the shift is not covered, the employee originally scheduled to work will have to account for the unworked time via sick leave, vacation time, or compensatory time.

		_	
Employee #1's Signature			Date
, ,, , , , , , , , , , , , , , , , , , ,			
		=	
Employee #2's Signature			Date
-			
Approved \square	Denied □		
Approved 🗆	Defiled \square		
		=	
Supervisor's Signature			Date



TAKE HOME VEHICLE AGREEMENT

Form 400.006 - Feb. 2018

Department/Division: _		Date	:		
Employee's Name:	Position:				
Type of Use: Marked Assigned	Unmarked Ass	igned	SIS Vehicle	Home Storage	
Vehicle Description:	Year	Make/Model	Vehicle #	License #	
Stored at:	Street Address	City	State	County	
Start Date:	Termination Date:				
I have read and understa Orders 305 & 306.	and my responsibilities	under the City's	Vehicle Use Pol	licy & Police General	
Employee Signature			Date		



TRANSFER INTERVIEW

		Form 400.019	9 - December 2018
Name:		Date:	
Personal Info			
Residence:			
Career Goals:			
Education/Spec	ialized Schools:		
Other Relevant			
Personal Info			
Dependability:			
Sick Leave Usag			
Performance Ev			
Relationship wi			
Chain of Com	ımand Recommendatio		
Sergeant	Recommended	☐ Not Recommended	
Lieutenant	Recommended	☐ Not Recommended	
Captain	Recommended	☐ Not Recommended	
Interview			
Initiative/Creati	vity:		
Oral Communic	ations:		
Situation Quest	ions:		
Appearance:			
General/Overal	l Comments:		
Recommend	ded Not Recommend	ded	

Board Member's Signature



Instructions for Completing the PSW Request To Test Source Form and Affidavit

There are two forms that need to be completed when a Public Safety Worker (PSW) has a blood/body fluid exposure, the **Request to Test Source** and the **Affidavit**. This document explains how to use each of the forms. These two **forms should be carried in all PSW vehicles.** Supervisors and shift duty officers should also keep multiple copies of the Request to Test and Affidavit forms.

If you have questions, call 214-819-2004 between 8 am & 4:30 pm, Mon. -Fri. and ask for the PSW coordinator.

THE REQUEST TO TEST SOURCE FORM (Use only when Source is taken to a hospital or clinic)

- When an exposure occurs, this form should be filled out by the PSW who was exposed or his/her supervisor and left at the Emergency Department or clinic where the Source is taken (Get name and number of person you leave this form with and give to Dallas County Health and Human Services)
- Notifies the hospital staff that an exposure occurred and requests exposure labs on the source
- Hospital staff will add the Source's test results to the Request To Test Source Form and fax the form to Dallas County Health and Human Services (DCHHS) at (214) 819-6095
- Test results will be given by DCHHS to the PSW, his/her supervisor and/or the PSW's physician when the notarized Affidavit is received. (see below)
- If Source is not taken to a treatment location, the officer does not need to complete this form

THE AFFIDAVIT FORM (Use with all exposures)

- Completed by PSW or Supervisor and is faxed to DCHHS 214-819-6095
- The Affidavit must be submitted for all exposures if the PSW wants the Source lab results.
- Form is needed whether the Source is taken to a treatment or a detention facility.
- Form notifies DCHHS staff that an exposure has occurred, gives the location of the Source and details of the exposure so the Health Authority can evaluate risks.
- Needs to be filled out, signed, notarized and faxed to the attention of the DCHHS PSW Coordinator at 214-819-6095 as soon as possible. The PSW Coordinator can be reached at 214-819-2004 between 8 am 4:30 pm Mon. Fri.
- The original affidavit can be kept by your staff but will be needed if a court order is required for testing the source
- DCHHS can not release the Source's test results until the notarized Affidavit is received.

If exposure occurs at night or on a weekend, follow the above procedures and DCHHS staff will contact the hospital or arrange for the blood draw at the Dallas County jail on the next business day. This will be faster than not following the above protocol and having the specimens get lost or improperly handled. If the Source is in a jail, arrangements to get the Source tested can be made whether Source is in a Dallas County or a Non-County jail. Contact the Dallas County PSW Coordinator at 214-819-2004 for instructions if Source is not in a Dallas County jail.

The PSW should seek immediate medical treatment/follow-up for the blood exposure from a physician familiar with current recommendations. The Health Care Worker can call the HIV Hotline at 1-888-448-4911 for current guidelines. PSW is not required by law to get baseline testing but for purposes of Workman's Compensation, the PSW may be required to get base-line testing within 10 days of the exposure. See your agency's policy. DCHHS does not perform testing or follow-up care on the PSW.

REQUEST TO TEST SOURCE for NOTIFICATION to EMS EMPLOYEE, PEACE OFFICER, OR FIRE FIGHTER OF POSSIBLE EXPOSURE TO A COMMUNICABLE DISEASE <u>Leave at Hospital - NOT FOR PATIENT CHART</u>

•	TEMS 1 - 8 TO BE COMPLETED BY THE EXPOS	SED PUBLIC SAFETY WOR	KER (PSW) (PLEASE PRINT LEGIBLY			
۱.	Public Safety Workers (PSW'S) Name:		DOB			
2.	PSW's Phone: (Home #)	(Work #) _				
3.	PSW's Supervisor	Phone				
4.	PSW's Employer / Agency & City:					
5. 6.	Date of Exposure Formula Describe the Exposure to Blood or Body Fluids (7)	PSW Email	n):			
	Disease (circle all that apply)	Type of Exposure				
		Aerosol or Droplet Exposure				
		Unprotected mouth to	mouth			
	diphtheria, measles, pertussis, meningococcal	Intubation				
	infections, Plague, rubella, tuberculosis*, viral hemorrhagic fever	Throat exam				
L	Tiemornagio rever	Suctioning				
L						
L		Percutaneous Exposure				
		Blood	Body Fluid Contact			
	AIDS, HIV infection, malaria, plague, syphilis,	Eyes	Nose			
	hepatitis	Mouth	Non-intact skin			
L		Open wound/lesion	Puncture/cut with needle/sharp object			
L	Detailed description of exposure:					
7. ⁻	The Above Exposure (in # 5) Occurred While Work SOURCE PERSON'S NAME	•	·			
	SOURCE'S Home Address		· · · · · · · · · · · · · · · · · · ·			
3. I	Form Submitted to (Name of Person and Facility) _		<u> </u>			
 <u>IT</u>	<u>EMS 9 – 11 TO BE COMPLETED BY THE HOSP</u> ESOURCE:	ITAL/CLINIC TEST RESU	LTS & DATES FOR			
	ESOURCE.	RPR:				
ГΗ	Disease(s) Identified:					
Γ <u>Η</u>).	Disease(s) Identified:	HIV:				
Γ Η).	Disease(s) Identified:	HIV: Hep B:				
<u>ГН</u>).	Lab Tests Done: YES NO	HIV: Hep B: _ Hep C: _				
Г Н).		HIV: Hep B: _ Hep C: _ TB:				

(BACK)

REQUEST TO TEST SOURCE NOTIFICATION TO EMS EMPLOYEE, PEACE OFFICER, OR FIRE FIGHTER OF POSSIBLE EXPOSURE TO A COMMUNICABLE DISEASE

All licensed medical facilities must notify the local health authority when a Public Safety Worker (PSW), such as EMS personnel, peace officer or fire fighter has been exposed to a reportable disease. The Dallas County Department of Health & Human Services (DCHHS) will notify the PSW or director of the agency employing the PSW of the exposure. This notification is required for the following diseases and situations (Report immediately by phone any suspect cases of diseases in italics):

Diseases

1. diphtheria, measles, pertussis, meningococcal infections, plague,rubella, tuberculosis viral hemorrhagic fever

2. AIDS, HIV infection, malaria, plague, syphilis, hepatitis

Exposures requiring notification

Mouth-to-mouth resuscitation, throat exam, intubation, suctioning

Needlestick, penetrating puncture; or splatter or aerosol into eye, nose, mouth; or contamination of open wound or non-intact skin

WARNING: Disclosure of confidential medical information is a criminal offense.

INSTRUCTIONS for completing reverse side:

Public Safety Worker (PSW – i.e.; Exposed Person):

- (1) Fill out items 1 8 on reverse side completely. Be very specific with how you were exposed.
- (2) Give form to **charge nurse** in the emergency department. Note on FRONT of this form (#8), to whom form was given and date/time
- (3) CONSIDER ALL PERSONS AS INFECTIOUS; if indicated, thoroughly rinse, flush or scrub the exposed body part with water (Not Saline) and soap or antiseptic. IF EXPOSURE IS PERCUTANEOUS, see physician for proper HIV and Hepatitis B prophylaxis as soon as possible (preferably within 2 hours).
- (4) You may need to complete other forms for your agency's workers' compensation program.

Emergency Department Charge Nurse:

- (1) Complete 9 thru 11 and give the form to the hospital's infection control or employee health person; if this will result in a delay of notification to the PSW of a known communicable disease, find an appropriate person to expedite completion of process or call report to Dallas County Health and Human Services 214-819-2004. If DCHHS is closed, leave a voice message stating that you are calling regarding a PSW exposure. Leave a name and phone number that the DCHHS nurse can call regarding the PSW exposure.
- (2) Do not release confidential medical information to anyone other than the health department.

Infection Control/Employee Health Personnel (or other appropriate person):

- (1) Ascertain whether the source patient has any of the diseases listed above; the law specifically states that additional tests beyond those necessary for the medical management of the patient are not mandated; however, if your hospital policy permits, you may ask the patient and the patient's physician for permission to perform other tests.
- (2) As soon as a communicable disease is diagnosed or suspected NOTIFY the health department and fax the form with lab results and date done. Even if no communicable disease is diagnosed during this hospitalization, fax the form to the health department upon discharge.
- (3) Do not release confidential medical information to anyone other than the health department.

name

REQUEST TO TEST SOURCE

for notification to a public safety worker (PSW)* of a possible communicable disease exposure *[peace officer, detention services officer, firefighter, EMS employee, or other volunteer emergency responder]

① Exposed event date/time	name	badge/employee #					
work address	work phone #	best phone #					
supervisor	email						
② Event							
Inhalation of aerosolized	☐ mouth to mouth	\square intubation					
particles or droplets	☐ throat exam	□ suctioning					
Percutaneous, Conjunctival, or Mucosal contact	☐ Splash: ○ non-intact skin ○ blood ○ other	, , ,	nouth				
of Macosal contact	☐ needlestick/sharp injury	□ bite					
③ Source name	DOB						
	DOB phone						
name							
address 4 Recipient name PSW legibly completes & leave Charge nurse: Please facilitate the collect	phone clinical facility clinical facility	tes below & informs healtl	h dept. of res				
address ④ Recipient name A PSW legibly completes & leave Charge nurse: Please facilitate the collect on the indicated exposure, and deliver for occupational health for notification. This	phone clinical facility es with health care provider HCP comple ction of an appropriate test panel, based form to infection prevention or employee/ s form is not for the patient chart, and no	tes below & informs healtl	h dept. of res				
address 4 Recipient name PSW legibly completes & leave Charge nurse: Please facilitate the collect on the indicated exposure, and deliver for occupational health for notification. This private health information may be release	phone clinical facility es with health care provider HCP comple ction of an appropriate test panel, based form to infection prevention or employee/ s form is not for the patient chart, and no						
address	clinical facility es with health care provider HCP comple ction of an appropriate test panel, based form to infection prevention or employee/ s form is not for the patient chart, and no sed to the exposed.	lab	oute				
address 4 Recipient name PSW legibly completes & leave Charge nurse: Please facilitate the collect on the indicated exposure, and deliver for occupational health for notification. This private health information may be release	clinical facility es with health care provider HCP comple ction of an appropriate test panel, based form to infection prevention or employee/ as form is not for the patient chart, and no sed to the exposed.	lab RPR	out				

phone

other

IRVING POLICE DEPARTMENT

2019 GENERAL ORDERS

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